

celled anywhere in the world. An article by John Fischer, in the June 1957, issue of Harper's magazine, expresses the same wonder and admiration for a most untypical Latin American country where "the people walk as if they were going somewhere; and they are." I agree with that observation as I look upon this island on the fifth anniversary of its Commonwealth Government. Here is a place where the remarkably able guidance of the popular Democratic Party and its leader Gov. Muñoz-Marín has created a new era of economic and social progress, while at the same time maintaining and even enhancing traditional American ideals of democracy. I know that all my colleagues join me in congratulating the Puerto Rican people on this anniversary and in wishing them continued success under their Commonwealth and in association with the United States.

During the delivery of Mr. SMATHERS' speech,

Mr. LONG. Mr. President, will the Senator from Florida yield to me?

Mr. SMATHERS. I am happy to yield.

Mr. LONG. Mr. President, I ask unanimous consent that the remarks I am about to make be printed in the RECORD at the conclusion of the speech of the Senator from Florida.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, I wish to associate myself with the very fine speech of the Senator from Florida.

I, too, wish to extend the most cordial greetings to Governor Muñoz Marín and the other fine people of Puerto Rico.

This is undoubtedly a very fine experiment in Commonwealth government. Apparently it satisfies the people of Puerto Rico. I know the Senator from Florida feels the same as I do, that if the people of that great Commonwealth desired independence, we would be constrained to vote for it for them.

However, from what I am able to ascertain, the people of Puerto Rico are very happy with the Commonwealth status they enjoy, and it has worked out to be very beneficial for both the United States and the people of Puerto Rico. Under this arrangement the people of Puerto Rico are prosperous and are making fine headway.

Mr. SMATHERS. I thank the Senator from Louisiana. The Commonwealth status has proved to be exactly the kind of status Puerto Rico needed and desired. As evidenced by the elections which are held there every 4 years, more and more of the people of Puerto Rico have approved of the Commonwealth status, and a smaller and smaller number of the people of Puerto Rico have voted for independence.

Mr. LONG. As I understand, since Commonwealth status was conferred upon Puerto Rico, the number of people of Puerto Rico who have voted for the Independence Party has been greatly reduced.

Mr. SMATHERS. That is correct and there is more support than ever before for the Commonwealth status, because not only has it given the people

of Puerto Rico every individual liberty they want, but at the same time it has provided them with an economic base upon which they have been able to develop remarkably; in fact, they have enjoyed possibly the most miraculous development which has occurred in any area of the world. The Commonwealth status is one which I believe some of our other Territories might well consider very seriously, because that status has had the result of enabling Puerto Rico to develop very rapidly. Commonwealth status has enabled Puerto Rico to progress from being a very poor country, with an extremely dense population, to being one of the most progressive countries, with a high per capita income. Commonwealth status unquestionably has done miracles for Puerto Rico.

Mr. LONG. Mr. President, if the Senator from Florida will yield further to me, let me state that I had the honor and privilege of serving with him on the Senate Committee on Interior and Insular Affairs at the time when the Puerto Rico Commonwealth bill was before the committee. I voted for the bill, as did the Senator from Florida. I am delighted to hear his fine report on the excellent progress made by Puerto Rico under the Commonwealth bill.

Mr. SMATHERS. I thank the Senator from Louisiana. I know that the people of Puerto Rico are very grateful to him for his participation in the drafting of the Commonwealth bill under which they now live.

I think it is historic when any person is able to say that he had a part in the creation of a government under which people subsequently live and under which they find great happiness and make great progress.

At that time the members of the Senate Committee on Interior and Insular Affairs labored hard over the Puerto Rican Constitution. They devoted long hours to it, and they considered it from every possible angle. I know that the contribution made by the Senator from Louisiana was particularly great. That constitution has proved to be a wonderful one for Puerto Rico, and the people of Puerto Rico have greatly appreciated it.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. SMATHERS. I yield.

Mr. LONG. Puerto Rico has one great advantage that many nations south of our border do not have, and that is the stability and security of property investments, and the investments of groups, knowing that they are protected by the United States Government. That is undoubtedly a great factor in inducing many large corporations, and even small companies, to go to Puerto Rico and safely invest their money, make a fair return on their investments in that area, and feel it is safe and secure from confiscation.

Mr. SMATHERS. The Senator is correct. Somewhere in the neighborhood of 500 new industries have moved into Puerto Rico within the past 18 months, not all for the purpose only of securing the advantage of favorable labor conditions, but also because they felt that it would be safe to make their invest-

ments in Puerto Rico, for the very reasons which the Senator has enumerated.

The PRESIDING OFFICER. What is the pleasure of the Senator?

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. JOHNSON of Texas. Mr. President, pursuant to the order heretofore entered, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 32 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Friday, July 26, 1957, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 25, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, whose resources of wisdom and strength are always available and abundantly adequate to supply our many needs, may we use them in discharging faithfully the duties of this new day.

Inspire us with a sincere and earnest longing to do that which is well pleasing unto Thee.

Make us acutely sensitive and eagerly responsive to the presence of Thy spirit, girding us with power and guiding us in the ways of truth and righteousness.

Give us clear minds and courageous hearts as we lay hold of tasks which demand the devotion and dedication of our noblest manhood and womanhood.

To Thy name we ascribe all the praise, Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BARDEN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 153]

Anfuso	Cole	McIntire
Avery	Dawson, III.	Mailliard
Beamer	George	O'Konski
Boykin	Harvey	Powell
Buckley	Holtzman	Preston
Bush	Kearney	Taylor
Celler	Knox	Teller
Chelf	McFall	Widnall

The SPEAKER. On this rollcall 412 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PUERTO RICAN CONSTITUTION DAY

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, 5 years ago, on the 25th of July, 1952, our island neighbors and fellow citizens in Puerto Rico officially celebrated the birth of the Puerto Rican Commonwealth. Under a constitution which they had framed according to their own needs and ambitions, these loyal Americans achieved self-governing status.

Since that day, the people of Puerto Rico have more than fulfilled the hopes of their continental supporters. Not only have they made a success of their own local political organization under the brilliant leadership of Gov. Luis Muñoz Marín, but also they have set an example in social and economic developments that nations all over the world are envying and copying. By the enterprising development program known as Operation Bootstrap, Puerto Rico succeeded in 1956 in raising its net national income over the billion dollar mark for the first time. As a result, the per capita income on the island is the second highest in Latin America, and this increasing wealth is being used to improve the social and economic status of the whole population.

Today I am happy and proud to offer my congratulations to the Commonwealth of Puerto Rico where our fellow Americans are demonstrating to the mainland and to the world that there are no challenges, social, economic, or political, that cannot be conquered by a democratic government when that government is backed by citizens as loyal and as enterprising as our Puerto Rican neighbors.

I wish to also extend my heartiest congratulations to my good friend the distinguished Resident Commissioner of Puerto Rico, Dr. ANTONIO FERNÓS-ISERN, who has achieved so much in maintaining an amicable understanding between the people of Puerto Rico and the United States.

May these first 5 years of Commonwealth status be merely the beginning of the progress and prosperity which the future holds in store for the people of Puerto Rico.

SCHOOL CONSTRUCTION ASSISTANCE ACT OF 1957

Mr. BARDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 1) to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 1, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending the amendment offered by the gentleman from Kansas [Mr. SCRIVNER].

Without objection, the Clerk will again report the amendment of the gentleman from Kansas.

The Clerk read as follows:

Amendment offered by Mr. SCRIVNER: On page 30, strike out all after the enacting clause and insert "That in lieu of all legislative proposals providing for school construction, 1 percent of all Federal income tax, collected in each State and Territory, shall be covered quarterly into the treasury of each State and Territory, to be expended only for aid to education, including school construction, in accordance with the budget of each State or Territory."

Mr. BAILEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. BARDEN. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. BAILEY. I yield to the gentleman from West Virginia.

Mr. BARDEN. Mr. Chairman, I notice from the reading of the amendment that it begins on line 11, page 30. Is this a substitute for the entire section 1 of the bill?

The CHAIRMAN. The Chair understands it to be in the nature of a substitute to the committee amendment.

Mr. BARDEN. I thank the Chairman.

Mr. BAILEY. Mr. Chairman, I rise to call the attention of my colleagues in the committee today to the proposed amendment offered by the gentleman from Kansas [Mr. SCRIVNER]. Any merit this amendment has—I will not say it does not have some merit—is killed by the inopportune time at which it was offered in the committee.

You will recall that the same amendment was adopted last year as a substitute for the pending school legislation, but it was not offered until after the so-called Power amendment had been added.

When the Scrivner amendment was substituted for the school legislation under consideration at the last session, it was discovered that the Powell amendment had been tacked onto the legislation. That killed the Powell amendment. So the committee reconsidered its position and killed the Scrivner amendment. It was done to reinstate the Powell amendment which had been already tacked onto the legislation. The

adoption of the Scrivner amendment at this time automatically precludes the offering by the friends of the Powell amendment of any legislation limiting the use of this money, because the money would be returned direct to the States and would not be appropriated by Congress.

Then, too, the adoption of the Scrivner amendment kills all of the administration's idea of distributing this money on the basis of need.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. BAILEY. I yield.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RHODES of Arizona. Mr. Chairman, as I got the language of the Scrivner amendment, it is offered in lieu of all legislative proposals providing for Federal aid to education. My inquiry is whether or not if this amendment is adopted and subsequently enacted it would have the effect of repealing Public Laws 815 and 874 of the 81st Congress.

The CHAIRMAN. The Chair would not pass upon the effect of the amendment.

Mr. BAILEY. I thank the gentleman from Arizona for raising this point, because it is one of the points I expect to make later in this presentation.

If you are making this distribution on the basis of the Scrivner amendment, New York, which pays 18 to 20 percent of the Federal income taxes, would get back a tremendous amount of this money. Let me say as to those millionaires who pay that high Federal income tax in the State of New York that a good big part of that income was made out of the resources of the State of West Virginia, and none of that money sent back to New York would ever get to West Virginia to compensate us for the loss of our natural resources. This is happening continuously by the operations of those nonresident taxpayers who are operating the resources of the State of West Virginia.

Mr. ZELENKO. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from New York.

Mr. ZELENKO. May I say to the distinguished gentleman from West Virginia that the Governor of the State of New York and his administration has put itself on record, as the gentleman knows, in favor of the school bill as it exists now, knowing full well that the State of New York will not receive back what it will put into this bill, but because it will be in favor of all the children of the country.

Mr. BAILEY. I thank the gentleman from New York for making this point. It is true that the Governor of the State of New York, Mr. Harriman, during the hearings of my subcommittee made it clear that the State of New York favors this type of legislation.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Utah.

Mr. DIXON. I wish to congratulate the gentleman from New York, espe-

cially in view of what I said yesterday in answer to the Wall Street Journal about the chamber of commerce there. It is most gratifying to see this statesmanship.

Mr. BAILEY. I thank the gentleman from Utah.

Mr. Chairman, I do not like the wording of this amendment. I am sure there would be a question raised as to whether you could continue to make distribution under Public Law 815 for school construction if this legislation should be approved. It seems to cut off any other sort of Federal aid along with this proposal.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Chairman, I have asked for this time in order to make a few general observations about this bill and something about what I believe the administration's attitude is in respect to the whole problem before us. What I shall have to say I trust will be understood as applying to the bill itself, to the pending amendment, and to all amendments that may be offered, of which I understand there are several.

May I say at the outset, Mr. Chairman, that on this occasion, as on other occasions since this administration came into power in 1953, there have been some attacks directed at the President in the press and on the floor criticizing him for what these critics call a lack of a firm position.

I have been here quite a while and I have heard these criticisms as they have been directed against the President from time to time. May I say first of all that I disagree with these criticisms that have been directed at our President with reference to this particular matter. I disagree with these criticisms because, in my opinion, the views of the President and the views of the administration have been consistent and those views are known. I might remark in passing that many times it seems to me these criticisms come from the extreme advocates of one position or another who feel that their side is not being sufficiently favored. Well, I sometimes wonder if people in that position can ever be fully satisfied as to the effort put forth in the direction that they would like to have it put forth.

I would like to make one other observation that is in the nature of a reminiscence. I first came here in the year 1935. At that time legislation was sent up to us to be adopted. Sometimes it was not even printed sometimes it was just mimeographed. The Congress was supposed to take this legislation without crossing a "t" or dotting an "i". Those were days when people said the Congress of the United States had abdicated its responsibilities. So far as I am concerned, I am happy that today we have the advice and the guidance of a great President, but at the same time, certainly, in respect to domestic affairs, a President who recognizes that the Con-

gress of the United States is an equal, coordinate branch of the Government, a branch of the Government that has its responsibility certainly in these legislative processes.

Now to get to the measure before us, I want to recite just a little history. On February 8, 1955, there was introduced in the House of Representatives a bill authored by the gentleman from Pennsylvania [Mr. McCONNELL] sometimes referred to as the Hobby bill—Mrs. Hobby was then the Secretary of Health, Education, and Welfare—which was generally understood to be the administration's bill.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Chairman, first I want to read to you the purposes of the act. The purposes of the act were set out in these words:

It is, therefore, the purpose of this act to provide assistance of a substantial and effective nature to States and communities which are handicapped by the shortage of public school facilities, through—

Now, I call your attention to the fact that these were the things that were to be done:

(1) purchase by the Federal Government of obligations issued by local education agencies to finance school construction where such obligations cannot otherwise be marketed at reasonable rates of interest;

(2) support by the Federal Government, with the participation of the States, of the obligations issued by State school building agencies established to finance the construction of school facilities for rental to and eventual ownership by local educational agencies;

(3) Federal grants to the States to assist them in helping local educational agencies, economically unable to qualify for the assistance described above, to obtain urgently needed school facilities.

That bill was not reported. Instead, the Kelley bill was reported, and I think it is fair to say that the Kelley bill of last year, as reported by the committee, differed from the administration's proposal in many, many substantial ways. During the debate and consideration of the committee bill, there was offered what was known as the McConnell substitute.

It was offered also as a motion to recommit. It did not go back to the Hobby bill in many important particulars, but it picked up the provision in respect to need and incentive of the local communities and States. On our side we voted almost solidly for that. I recall that in the debate I said that if that substitute was not accepted, in my opinion the bill would be defeated. That is what happened, and again the committee has reported a bill which differs very materially from the administration proposal.

Now there has been talk here about platforms. Our 1956 platform—I have not read your Democrat platform lately,

but in referring to the school construction program, our platform said this:

The Republican Party will renew its efforts to enact a program based on sound principles of need and designed to encourage increased State and local efforts to build more classrooms.

I think I can understand the English language and I think I know what that means.

As to the President's attitude, as I have understood it from the beginning, let me say this: President Eisenhower has again and again drawn attention to the critical shortage of classrooms in our country and has pointed out that in spite of increased construction on the part of most of our States, this shortage is bound to increase because of the rapidly growing number of children of school age.

From the many conversations and conferences in which I have participated, it is obvious that the President is convinced that this shortage, particularly the result of factors of a national character over which the States had little or no control, can be eliminated only through some kind of Federal assistance to the States in order to stimulate building.

There is no doubt in my mind that the President is deeply hopeful that the Congress will enact legislation of a self-terminating character that will provide the needed assistance and stimulation with the bulk of Federal assistance distributed on the basis of need.

It seems to me there can be no question whatsoever but that the President strongly believes that the need is today, that it is urgent, and furthermore that this Congress should meet its share of the responsibility to answer this need.

As I have understood it, those have been the President's views. They have been stated time and again. I think they have been very well understood.

Now, as far as this bill is concerned and amendments to it, as an individual Member, acting on an amendment and on the bill, I am going to follow the dictates of my own conscience. I am going to be mindful of the views of the people I represent. I want to say, parenthetically, that the people of my party in Indiana have a plank in their platform against any Federal aid to education. At any event, I shall be consulting with the people whom I am privileged to represent, and certainly I shall not be unmindful of the loyalties that are mine to my party, and the stand of our administration, insofar as I am able to determine how those various things will come up as a matter of application.

There are other amendments pending. I have checked at the Speaker's desk. We have one amendment pending now. There are others that will be offered. As far as I am concerned, I am sure that this House of Representatives will exercise its judgment according to our responsibility, and try to do that which is in the best interests of the country in the consideration of all of these various matters that are coming before us in connection with this bill, although it is always a difficult matter to try to write sound legislation on the floor of the

House when dealing with complex and controversial issues.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. No, I do not care to yield.

Mr. McGOVERN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I share with most Americans including the distinguished gentleman from Indiana [Mr. HALLECK], a genuine liking for President Eisenhower. He is a congenial, good-hearted man. He and his family are a credit to the American people.

I have often wondered how it is possible for a man in public life to be so popular with such a variety of people as is this man from Abilene. I think, however, after listening to the explanations of the President's position on Federal assistance for the public schools that I know why everybody likes Ike. It is simply this: Ike, himself, likes everybody so well that he embraces with equal good humor all possible sides of issues on which there are sides to embrace.

Those who favor Federal aid to education such as the distinguished gentleman from New Jersey [Mr. FRELINGHUYSEN], are sure that Ike agrees with them. Those who are opposed to Federal aid are equally sure that the President is opposed, or at the least lukewarm, about bringing the Federal Government into this field. During both the 1952 and 1956 campaigns, Ike campaigned in such a way as to convince the most ardent supporters of Federal aid to education that he was their man, but we are now given the assurance of the honorable gentleman from Illinois [Mr. ALLEN], that if the President was running on Federal aid to education, he wasn't running on the Republican platform.

Now Mr. Chairman, I submit that there is nothing new about the current confusion as to where the genial Mr. Eisenhower stands on controversial issues. We should of course give the President all due credit in coming out boldly for the preservation of the American home, the family fireside, and a man's right to a few turns on the golf links. On these central issues, the President has not only been clear and consistent, he has even been dynamic. But when it comes to such tormenting issues as the school shortage, parity for farmers, civil rights, and the budget, Ike—as illustrated by Herblock—no sooner signals with the left-turn indicator than we notice that the right-turn indicator is also blinking. Just about the time we wonder whether the Presidential car is swinging right or left, the brakes go on and we are left on dead center in the middle of the road. Little wonder that even sophisticated Washington reporters get into trouble when they try to follow the Presidential car too closely.

Mr. Chairman, many of us in the Farm Belt saw the handwriting on the wall 4 years ago. It was on October 4, 1952, that the Eisenhower caravan rolled into Brookings, S. Dak. When it had left, newspapers all over the Nation boldly informed us that Ike was for 90 percent of parity for farmers as a bare minimum but that he really thought it should be 100 percent. Poor Mr. Steven-

son was left wondering how he could compete for the farm vote. When it was suggested that Ike had left a loophole and was really not for firm price supports for agriculture, his colleagues cried "foul" and assured us that it was only Democratic trickery to imply that Ike did not mean what he had said about parity. Yet, lo and behold, the election was scarcely cold before the President set about calmly to undo the whole parity structure and to put us on the sliding scale. Neither Ike nor his Secretary of Agriculture bothered to warn farmers that when you are on a slide, the only way you can slide is down. No one ever moved from 90 up to 100 on a slide.

Again on the great fight over the budget, Ike's love for the people enabled him to convince just about everybody that he was on their side. The Congress was warned by the White House that it was our duty to cut the budget but that if we did cut it we would imperil the Nation's security. After tossing about on all sides of the issue for several weeks, the White House finally announced that Ike would address the Nation on the subject of his budget. Is there any man who doubts that the great interest in this address stemmed from the fact that the whole Nation was waiting with bated breath to learn whether or not the President would come out for or against his budget?

On the issue of civil rights, the President was equal to the demands of public relations again. We were assured by his spokesmen in the House that the civil-rights bill was drawn to the President's specifications and that if we granted the compromises asked by our southern friends the President would be most unhappy. But, lo and behold, when the bill reached the Senate and the reporters asked Ike about certain sections, the President expressed his anxiety about these provisions and indicated that he had not yet really read what was in his civil-rights legislation.

Mr. Chairman, all of this leaves us with the conclusion that it is a lot easier to like Ike than to learn what it is that Ike likes.

Mr. McCONNELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as one who has struggled, who has sweated, and who has worried about a bill to alleviate critical classroom shortages, which no one can authentically deny, I deplore the trend of this argument. Politics should stop at the door of this Chamber when we are considering the alleviation of critical conditions which will affect the future welfare of the children of America.

Let us get back to fundamental positions. There is no question in my mind but that the President of the United States is interested in legislation to help alleviate the classroom shortage. There is no doubt in my mind whatsoever and I say that sincerely. There is a difference of opinion as to how it should be done, and that is quite natural and quite logical.

I have certain views on this matter, deep views, fundamental views, but I have been willing to change some of them as we have gone along. For what

purpose? In order to obtain a bill. I have not questioned the politics of people in any of their moves or decisions, and I do not think it is right to question the politics or the motives of the President of the United States in this particular matter. He is acting in the way he thinks proper for the welfare of this country.

Originally there was a proposal from Mrs. Hobby, who was then Secretary of the Department of Health, Education, and Welfare. I was not entirely in accord with that proposal. I liked parts of it. But it was a basic start, as far as I was concerned, it was a basis upon which we would begin to consider and approach the handling of classroom shortages.

Then we had what was known as the Kelley bill. I will say to the gentleman's credit that he endeavored to take many parts of the so-called administration approach. However, we did differ as to the formula in the allotment of funds. The Kelley approach was that all States should receive funds based solely on the school age population of each State. The so-called administration approach was that school-age population, the financial income per child of school age, and effort should be considered. I can say right here that that was the main argument in connection with the Kelley bill versus the so-called administration approach, which was embodied in the bill that the gentleman from New Jersey [Mr. FRELINGHUYSEN] and I introduced.

I tried last year to present an amendment which would consider the financial income, population and effort, but it was defeated. There was a feeling on the part of some that maybe there might be some political credit for the bill, or something of that sort, or whatever it might be, and regardless of all that I am not discussing it, except to say that the bill was defeated.

We started this year and we had a real hope, all of us who favored some kind of assistance to alleviate conditions, that we could work out a compromise bill.

Mr. Chairman, I can say most sincerely that I feel a good compromise bill has been worked out. Now, it does not go as far in one direction as some might wish; it does not go as far in the direction that some others might wish, but I sincerely believe it is a real compromise bill. As far as I am concerned, I have done my best and will continue my efforts to get that kind of a bill approved here in this House.

Mr. BURDICK. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from North Dakota.

Mr. BURDICK. Mr. Chairman, I want to associate myself with the remarks made by the gentleman from Pennsylvania. He has spoken my views on this bill but in a much better way than I could do it myself.

Mr. Chairman, I announced my position on national school legislation in a newsletter last February, and I have not changed my position since. The announcement was as follows:

Every session of Congress for the past several years has been bombarded for Fed-

eral aid to education. I have stated my position time and time again, but a Member cannot get the publicity on this matter that the facts warrant.

The President is to be congratulated on his stand on the subject, expressed in clear and unequivocal language. Here is what he says:

"Certain basic principles must govern legislation on Federal grants for school construction, if they are to serve the cause of education most effectively.

"First, the program must be recognized as an emergency measure designed to assist and encourage the States and communities in catching up with their needs. Once the accumulated shortage is overcome, if State and local autonomy in education is to be maintained, the States and communities must meet their future needs with their own resources and the Federal-grant program must terminate. The States and communities already are building schools at a rate which clearly shows their ability to do this.

"Second, Federal aid must not infringe upon the American precept that responsibility for control of education rests with the States and communities. School-construction legislation should state this policy in no uncertain terms. * * * The Federal role should be merely to facilitate—never to control—education.

"Third, Federal aid should stimulate greater State and local efforts for school construction. Many States now make no contribution to school construction, and in some States which do contribute the amount is relatively small. Further, to increase total funds for school construction, Federal grants should be matched by State-appropriated funds after the first year of the program.

"Fourth, the allocation of Federal funds among the States should take into account school-age population, relative financial ability to meet school needs, and the total effort within the States to provide funds for public schools. An allocation system based solely on school-age population would tend to concentrate Federal aid in wealthy States most able to provide for their own needs. An allocation system which provides more assistance to States with the greatest financial need will help reduce the shortage more quickly and more effectively.

"Fifth, in distributing grants under this program within each State, priority should be given to local districts with the greatest need for school facilities and the least local financial ability to meet the need."

Federal control of education is one way to build a totalitarian state and take away from the people the responsibility of self-government. Federal appropriations usually have a string attached, by which the Federal Government takes some authority away from the people to manage their own schools, and there is no doubt that the President has seen this tendency. His stand on this subject should convince the people that he is in favor of more local government—no less of it.

The Wright amendment already adopted makes doubly sure that the Federal Government will in no way control our educational courses of study, or otherwise interfere with local control of our States' educational systems, and with this amendment I will vote for the bill.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Pennsylvania.

Mr. FRELINGHUYSEN. I, too, deplore the partisanship which seems to have cropped up here today. I think it ought to be made plain that in the Education and Labor Committee there was virtually no partisanship, and as a re-

sult we brought out the bill which we have before us. I think that the members of the subcommittee which first considered this legislation and held hearings on it all recognized, on both sides of the aisle, that the President's leadership and specific recommendations formed the basis for the legislation which we had here last year in the form of the Kelley bill, and that which we have here before us today. I think the President's position has been made plain, and I think without his leadership we would not have gotten as sound legislation as we have. I discussed this matter at some length yesterday in connection with a letter I received from the President. It is found on pages 12607-12608 of yesterday's RECORD. Just two sentences from it, if I may be indulged, Mr. Chairman:

I would not, of course, pass judgment on all the details of this bill while it is still before Congress. As I understood it, however, the bill adheres to principles which I consider basic to sound Federal legislation on this subject.

Then I will skip a few sentences.

Providing adequate classroom facilities for the young people of our Nation is a tremendous challenge which should be met at once. I earnestly hope, therefore, that legislation will be enacted at this session to provide Federal help in this emergency.

It is for that reason, Mr. Chairman, that I do hope we take the advice of our President and proceed with our consideration of this measure.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McCONNELL. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Arizona.

Mr. UDALL. I, as a member of the subcommittee that sat and sweated for 3 months on this bill certainly agree with the gentleman from New Jersey [Mr. FRELINGHUYSEN] who sat with us that if there ever was a bipartisan approach to legislation by people sincerely interested in passing a bill it was adopted by those who formulated this bill. I believe if we are going to have a bill, we are going to have to use that same bipartisan approach on the floor today. The gentleman from Pennsylvania stated a while ago that this is the best compromise we can get; Secretary Folsom has said so; the President has said so. But then I was utterly confused by the statement of the gentleman from Indiana [Mr. HALLECK] who seemed to say to the Members on his side of the aisle that this is not the President's bill, and I would like to see that statement clarified now.

Mr. McCONNELL. May I say this to the gentleman so that we may know what the positions generally are. I think it is only fair to state it clearly. The President is in favor of a bill for school construction. This is not the most preferred bill he wishes. He has made that

very clear. He also realizes that legislation is a matter of compromise, and he understands our efforts to compromise. He does say, however, that this is not his first preference; that he prefers a bill where financial need is more emphasized than in the compromise bill.

I think, in a nutshell, that is his position.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Chairman, I have talked to the gentleman from New Jersey [Mr. FRELINGHUYSEN] and I think in all fairness there is an additional sentence in the letter that he had from the President that bears out the statement that I made. The words are these:

In that connection—

Referring to the consideration of the bill—

I hope that in its further consideration of the matter the Congress will give close attention to that portion of the bill which allocates funds on the basis of need.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Arizona.

Mr. UDALL. The point that I am trying to clarify is that our differences in reference to the need formula has been compromised 50 percent. We just split the difference. In fact, my own inclination has been to agree with the gentleman on the other side of the aisle, and I think I was instrumental in bringing about that compromise. The committee has worked hard and long on this, and if we are going to get a bill it has to be a compromise bill.

Is the President back of the committee bill or not? Because if he is not, then the work of the committee is a shambles, and none of us know where we are. We are adrift here. That is why I think we have to know now the answer to my question.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield to me?

Mr. McCONNELL. I yield to the gentleman.

Mr. FRELINGHUYSEN. I would like to state that it was not my intention to omit that sentence to which the gentleman from Indiana referred, with reference to the question of need, in the President's letter to me. But since the gentleman from Indiana [Mr. HALLECK] has brought it up, and since he referred to the Republican platform, I do think that perhaps we should have some discussion of this question of need.

First of all, let me say that, in my opinion, the legislation now before us contains no violation of any basic principle which the President has advocated. The simple fact of the matter is that the administration proposal incorporated in the bills which the gentleman from Pennsylvania [Mr. McCONNELL] and I—

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. McCONNELL] has again expired.

Mr. McCONNELL. Mr. Chairman, I ask unanimous consent to proceed for 2 more minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HOFFMAN. Mr. Chairman, I object.

Mr. BARDEN. Mr. Chairman, I am a little reluctant to suggest this, but I should like to offer a unanimous-consent request on the matter of limiting time on the pending amendment. This amendment was offered about 45 minutes ago, and except for the gentleman who introduced it, the discussion has been on entirely different matters. I am thinking of asking unanimous consent that all debate on the pending amendment close in 20 minutes. I make that unanimous-consent request, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. PERKINS. Mr. Chairman, reserving the right to object, may I suggest that the gentleman change his request and make it 40 minutes?

Mr. BARDEN. Mr. Chairman, it is embarrassing to compel someone to stick to the subject. I do not like to do it; no one likes to do it. But I do think the Members must realize that we want to get along and finish with this bill. For about 45 minutes the discussion has not even touched the amendment that is on the desk. Why anybody would want to take another 40 minutes to talk about something other than the amendment, I do not know.

Mr. Chairman, I shall be forced to make objection if Members insist on leaving the amendment that is pending and talking on some other subject. At this time I withdraw my unanimous-consent request.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I should like to continue my discussion of this question of need as it was considered in the subcommittee and the full committee. The administration proposal, as incorporated in the bills which the gentleman from Pennsylvania [Mr. McCONNELL] and I introduced, had an equalization formula. It would have provided three times as much aid to poor States as it would to the rich ones. The bill we now have before us would have given twice as much aid to the poorer States.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman.

Mr. BARDEN. Mr. Chairman, I should like the gentleman to discuss the amendment that is pending. If we do not discuss the bill before us, we will never get through.

Mr. FRELINGHUYSEN. Mr. Chairman, I decline to yield further.

The CHAIRMAN. The gentleman will confine his remarks to the pending amendment.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

Mr. BROOKS of Louisiana. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I recognize the fact that the committee wants to proceed as rapidly as possible in consideration of the bill. I recognize also they have been rather patient to what has gone on in the past. I do want to take this time today, at least a portion of it, to talk in a nonpartisan way in reference to this particular amendment and generally to the subject of the entire bill.

In doing so, I want to quote a very short paragraph from a news analysis in Louisiana called PAR. PAR is an abbreviation for the Public Affairs Research Council of Louisiana, Inc. In its February 15 edition PAR addressed itself to this identical subject, and it showed the results of an exhaustive study of the situation regarding educational construction in Louisiana. Remember that Louisiana is one of the States toward which the finger has been pointed as a poor State, unable or unwilling to do its full part in the construction of the school facilities for the public schools of Louisiana. I quote from this edition of this publication:

In the 10-year period from 1946 to 1947 through 1955 to 1956, expenditures for public-school construction and equipment increased far more rapidly than did public-school enrollment in Louisiana. While enrollments increased 36.8 percent (from 437,841 in 1946-47 to an estimated 599,014 in 1955-56), with the end of wartime restrictions and shortages school capital outlay increased 1,188.1 percent from \$2.9 million in 1946-47 to \$37.4 million in 1955-56). Over \$225.8 million was spent for public-school construction and equipment during the 10 years. In the same period, the total assessed valuation to support local school-construction bonds increased 72.7 percent (from \$1,645 million in 1946 to \$2,840 million in 1955), and the constitutional debt limit for school bonding purposes was raised from 10 to 25 percent of assessed valuations.

Further, Mr. Chairman, I wish to read to you three of the recommendations made after careful study by this publication in reference to school construction in Louisiana. They are as follows:

The justification for a Federal-State program of aid for school construction in Louisiana is questionable in view of the following:

1. Building needs are presently being met with local funds at a more rapid rate than the combined impact of increased enrollments and the loss of classrooms through obsolescence.
2. There may be as much as \$100 million in local funds for school construction authorized but not yet spent in Louisiana.
3. Although Louisiana is one of the "poor" States under the administration's aid formula, 62 of the State's 67 school systems have more than \$569 million presently available in unused bonding capacity after meeting all their school needs to 1959-60 as estimated by the State department of education.

Mr. BARDEN. Mr. Chairman, I move that all debate on the pending amendment close in 15 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, as we discuss H. R. 1, which is the School Construction Assistance Act of 1957, it seems to me that if the Congress would approve such legislation as this, it would approve anything. There are a great

number of reasons why this legislation should not be passed. In the first place, there is no need for it. Statistics which are available to the Members of the House indicate full well that the shortage of classrooms has been greatly reduced over the past 4 or 5 years and that if construction under present methods continues at the same as presently, the classroom problem will be taken care of without Federal aid for school construction.

In the second place, this is not a matter in which the Federal Government should interfere. The Federal Government is probably less able to enter into a program of school construction than any State or local government in the United States. I know of no government which is so greatly in debt or proportionately, has such a huge public indebtedness as the Federal Government. Statistics show us that the States and political subdivisions are taking care of the problem. The State of Ohio has embarked upon a tremendous school-construction project and if additional funds are needed for building schools in Ohio, these funds will be obtained. The Ohio Legislature is conscious of the necessity for good educational facilities and that legislature is meeting its obligations as are the legislatures of a great number of States.

I was interested to see the pictures that have been passed around on the floor of the House, examples of inadequate schools. The 1-room school that I attended for 6 years looked like a school in 1 of the pictures. I saw the picture of a high school that reminded me of my high school. But my one-room school is no longer used. When the taxpayers and school officials of my community determined that it, and others like it, were inadequate, new facilities were provided. The high school has become a junior high and as new buildings are completed, will pass out of the picture—in accordance with a schedule which local people, interested in the welfare of our children, determine.

I should like to point out that when additional funds are needed that the people, not the Congress, vote the needed funds. In the past year in my Congressional district, \$5,319,373 was voted in bond issues for school construction as follows: Guernsey County, \$1,715,000; Monroe County, \$1,289,000; Morgan County, none; Muskingum County, \$582,500; Noble County, \$190,000; Perry County, \$908,873; Washington County, \$634,000.

In those States in which school facilities are subnormal, an inspection of the cause will find that the States themselves could do a greater job if they desired. The fact that some States have been reluctant to modernize their school facilities has been suggested as a reason why this tremendously costly program should be adopted for the entire United States. That is an insulting suggestion that there is a State in the Union that cannot shoulder the responsibilities of statehood.

A third and very vital reason why this legislation should not be passed is that it is an unwise and dangerous departure which would eventually lead to complete

centralization of educational responsibility and complete Federal domination in the field of education. If we were to admit first, that there is a need for this program, and, secondly, that the States are not carrying out their responsibility, I would still insist that this is not the way to handle the problem. There are a great number of people who feel that the end justifies any means, that if there are shortages of schoolrooms, the thing to do is to railroad this bill through Congress and let the Federal Government pay the bill regardless of the outcome. It is my own feeling that regardless of the need, even for a need so sacred as education, that no improper or dangerous solution should be invoked. I suggest that this is a dangerous program.

Now, what is it that is so dangerous about this Federal construction program? First, it brings the Federal Government into a new field of activity. That in itself should pose questions for those who believe that the Federal Government should not expand its activities. We speak of economy, how can the cost of the Federal Government ever be decreased if it takes on more and more Federal programs? Secondly, this proposed program would penalize the States and local areas which have performed admirably in providing schools and educational facilities. Those progressive areas and States would not benefit from this program, but the areas which had done nothing or had done very little, or had refused to tax themselves to provide for educational facilities would receive the benefit at the expense of those areas which were thrifty and which had provided themselves with schools and which had promoted higher assessments for school purposes.

Third, there is a matter of Federal control or Federal domination. A lot of people say that would never happen in a bill such as this which is just a little deal to give the States some money to build a few schools. I would like to suggest that the Federal Government has never yet gotten into any field of activity over which it did not exercise some measure of control and you may be sure that in a field such as education, that if those Socialist-minded schemers who are lurking in the halls of our bureaus in Washington, could ever get their hands on this program, Federal control would soon be a most prominent factor.

The history of nations who are dominated by dictators, or who have become subject to the communistic philosophy indicates that one of the necessary ingredients is State domination of education, interference with education, and attempt at thought control. We should be alert to the sinister forces which are behind legislation of this sort, pulling strings here, plugging there, giving lip service in the direction of this type of legislation. We who oppose it are accused of being against education, of wanting to hurt the career possibilities of our boys and girls.

It is significant that those who oppose this legislation in the 84th Congress formed a majority of the Members of Congress, and I am confident that those who oppose it today, compose a majority

of the Members of the 85th Congress. Can it be said that a majority of these Representatives, men and women from every Congressional district of the United States are against education? It is significant that a great number of those who oppose this legislation are men and women who have proven by their past actions as members of State legislatures, city councils, boards of education and members in PTA's that they are vitally interested in good education. Lurking in the background, hoping for this legislation to pass, are the forces of socialism, not noticeably active, but just waiting, and making use of a great number of handmaidens willing to perform the duties of building public opinion in favor of this legislation. There are those who wish to destroy State and local sovereignty, who believe in a completely centralized form of government. There are those agencies who have found in this program a national cause of their own in order to build membership, in order to have a central theme, in order to have something to work on as a great cause of a great project. Finally, there are those whose responsibilities are great in the field of education, of running our schools, of teaching our boys and girls, who in desperation have seized upon this program as a possible way out for meeting local needs in education. These persons, associations, and organizations are the innocent agents of the real forces behind this legislation.

Mr. Chairman, this is not just another little program, it is not just a matter of assisting local schools to perform the task of educating our youngsters, this is as dangerous a departure into the realm of socialism as if we were to nationalize our railroads or our coal mines or our utilities. Let us not sacrifice the future of democratic America for the sake of obtaining a few school buildings, school buildings which we can build for ourselves in Ohio, constructing the type of buildings Ohioans want, where they want them, when they want them, and with the money that Ohioans furnished. We have the pride, we have the sense of responsibility, we will educate children ourselves.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman and members of the Committee, I am completely opposed to this amendment. We have all agreed during this debate that the States have not done their part of the job in getting classrooms built. One of the chief reasons, I think, is that the States in their tax affairs have earmarked funds in this fashion and have lost control of their budgets.

There is an administration position, a very clear one, and a very succinct one on this issue, which was presented to the committee by Secretary Folsom. In fact, the Secretary was a very forthright and convincing witness. I want to read to the membership the statement he made so that the Members may know exactly what the administration position is.

I quote Secretary Folsom as follows: I think the approach just described—

That is the Scrivner plan— is a fundamental mistake in tax policy. It happens I was at the Treasury—

He was Assistant Secretary of the Treasury for about 3 years— studying the question of tax costs. I know of no plan which would violate sound Federal tax policy more than that.

He went on to quote Senator Taft's statement which I believe the gentleman from New Jersey [Mr. FRELINGHUYSEN] has already referred to and he closed by saying:

I think that is the best argument I have seen against the proposal.

So let us not fool ourselves here. If you want to vote for this amendment in the hope of killing the bill—go ahead and do so; but there is a very clear committee position on this issue and the administration's position is equally clear. So let us go ahead and vote on the real merits of this particular amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Chairman, I am in favor of this amendment because I feel that the committee has not done a proper job in developing the bill which goes to the need of the school system of this country. I would rather see no bill passed than the bill that you now have. If we develop a bill that meets the criteria as presented by the President, I believe that the school program of this country can develop, but this bill does not do the job, nor does it give credit to the States who are presently solving the problem.

I have editorials from papers in my district condemning this bill that is under consideration. I do not believe the committee has done a proper job. I do not believe they considered it from the standpoint of need. Need of today may not be the need of tomorrow. If there is national need, then we should put money into those areas that need it. I do not believe it is any business of the Federal Government to start developing a building program for other States that are presently taking care of their own needs. Eighteen States will be paying more money than they receive in accordance with the program now being developed. This amendment will give back to the States 1 percent of what they pay in income taxes, to implement their own appropriations to take care of their own school facilities. I do not like to see the Federal Government delve into the school system of our country. I believe we are treading on dangerous soil.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. McVEY].

Mr. McVEY. Mr. Chairman, I think you well know that I do not take the well of this House very frequently, but we are considering a subject this afternoon that is particularly within my field of experience. I have spent more time on education than any other Member of this House. I have dealt with all levels of education from the kindergarten to the post-graduate school of the university. I know something about the shortage in

classroom construction. I have voted for bond issue after bond issue to meet the school construction needs. Last year, it was stated on this floor there was a shortage of 300,000 classrooms. Today we have a shortage of 159,000 classrooms. We have made pretty good progress since those statements were made a year ago.

The States now have total indebtedness of about \$13 billion. The deficit of the Federal Government is \$271 billion. The States are able to support their educational programs if we give them the opportunity. Years ago we took 25 cents of each tax dollar for the Federal Government. Today we take about 75 cents of each tax dollar and do not leave enough money at home for the support of schools and other responsibilities of the local governments. If we leave more money at home the States will take care of our shortage, and I believe all States will do this. I am for the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I want to recall my earlier remarks to the Committee and remind you of what this amendment will do. It kills off all plans of a division of the funds that are to be distributed on the basis of need, and it precludes offering by the proponents of the so-called Powell amendment legislation that would restrict the use of these funds. It would throw into the already wealthy States who claim they do not need this money, additional money, when it ought to be going to those States in the Union that actually need it.

This is a national issue and not a State issue, as some would have us believe.

I would also again remind you of the satisfactory operation of Public Law 815. Unless this amendment is changed, it will kill the distribution of funds under that type of legislation.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. BECKER].

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I yield.

Mr. OSTERTAG. Mr. Chairman, I am heartily in favor of the Scrivner amendment.

The Scrivner proposal offers the only possible way in which we can provide Federal aid for schools without inviting Federal control. It reduces Federal participation in the program to the role of tax collector and distributor, while at the same time providing the States with an added portion of their own funds which they can use to enrich or enhance their educational programs in whatever way they deem best.

If we are seriously concerned about our educational program, and also seriously concerned about keeping control in the hands of the States, then the Scrivner formula will work to perfection.

There is another good reason for supporting this approach to the school aid problem, Mr. Chairman. All over this country, officials and the plain people are seriously concerned over the accelerated flow of power to the Central Government here in Washington. A commission was created a few years ago to

study this matter. A continuing subcommittee of the House is holding hearings on the subject at this time, and recently a resolution has received committee approval to create a new, select committee to address itself to this problem.

President Eisenhower voiced his own concern over the problem in an address to the 48 governors at Williamsburg, on June 24, and proposed the creation of a Joint Federal-State Action Committee to arrest and reverse this trend. There is thus almost no disagreement as to the desirability of such a step. The only question is where and how to begin to check this potentially dangerous trend.

Mr. Chairman, the way to begin is to begin, and nowhere is there a better place to start than in connection with this school aid program.

The States have made it overwhelmingly clear that they do not want it. The people have made it overwhelmingly clear that they are ready, willing and able to meet their own education needs in their own way. You can travel the length and breadth of this land today, and in small and large communities, you will find that the best and newest buildings in town, and often the largest, are the school buildings. They have been built with local funds, through the will of the local people. The localities are proud of their schools and proud of the effort they have made to meet their school needs. Why, then, should the Federal Government smother this initiative with largesse and the threat of controls, which the localities do not need and do not want.

If the need for Federal aid can be demonstrated—and I am not satisfied that it can—then the way to meet it is to allow the localities to retain 1 percent of the sums they send to Washington as Federal income tax, to meet these needs in their own way. I hope the Scrivner proposal will be approved.

Mr. BECKER. Mr. Chairman, I am heartily in favor of this amendment, but I am opposed to the original bill. I am opposed to the bill because under it my district would get but little. Under the Scrivner amendment there would be some gain.

The statement was made on the floor that the States are not doing a good job in the matter of education. In Heaven's name, who has been doing it in this country, educating the boys and girls all through the years, if it has not been the States? Certainly it has not been the Federal Government. Why not the committee look into the kind of education our children are getting in the fundamentals of education? Are they being taught moral standards? Patriotism? Loyalty? The States and districts have provided the schools, and that is exactly what we are doing in my district in Nassau County today. We had 1 little district which right after the war had 1 small schoolhouse. Today they have 13. The tax rate is \$5.85 per hundred of the assessed value on \$5,000 homes. They are up to their ears in taxes. They want relief from Federal taxes. They do not want Federal aid in this form, they want relief from Federal taxes. You are not going to reduce

taxes by returning money to the States this way. My State is building the schools necessary, and other States will. Pass the Scrivner amendment and return 1 percent of the taxes to the States, so the localities can do the job.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to this amendment. It would be an unwise, and perhaps unconstitutional earmarking of funds. It would be a very fundamental mistake to adopt such a change in our tax policy.

I rise also because it would not meet the need, and the gentleman from Kansas apparently recognized that there is a need. The amendment would not give Federal revenues to the areas of greatest need, but gives most of the money to areas that need it least.

The proposal now before us (H. R. 1) would give twice as much to poor areas as to the richer areas. The original administration proposal, as I have previously pointed out, would have given three times as much. So we have two reasonable alternatives before us. On the other hand, I do not think the Scrivner amendment is a reasonable choice. For that reason I hope it is decisively defeated.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KELLEY] is recognized to close the debate.

Mr. KELLEY of Pennsylvania. Mr. Chairman, the adoption of the Scrivner amendment would defeat the very purpose of this legislation. The committee has worked very hard and it has compromised on the proposals, as the gentleman from Pennsylvania [Mr. McCONNELL] so ably pointed out a few moments ago.

We have recognized the question of need, and there is no assurance that in the Scrivner amendment needs are taken care of.

The former Senator from Ohio, Mr. Taft, was quoted yesterday, by the gentleman from New Jersey [Mr. FRELINGHUYSEN]. I do not think it would be amiss to repeat that quotation. Senator Taft said:

It is based on the supposition that in some way a State has some arbitrary right to the taxes collected from sources within its boundaries. If for one moment we admitted such a philosophy the entire financial system of America cracks, because a State has no such interest.

This proposed amendment, therefore, violates the very principle as outlined by the former Senator from Ohio, Senator Taft.

Mr. MORANO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN (Mr. WALTER). The gentleman will state it.

Mr. MORANO. Mr. Chairman, as I understand it, the pending amendment is a substitute for the bill that has been reported by the Committee?

The CHAIRMAN. The gentleman is correct.

Mr. MORANO. I would like to know, Mr. Chairman, if this substitute is adopted, would it be open to further amendment or is this the end of it?

The CHAIRMAN. That would be the end of it because this is an amendment to the amendment, in the nature of a substitute.

Mr. MORANO. Then the Committee would rise, if this amendment is agreed to?

The CHAIRMAN. After voting on the Committee amendment, the Committee would rise.

Mr. MORANO. I thank the Chairman.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Kansas [Mr. SCRIVNER].

The question was taken; and on a division (demanded by Mr. SCRIVNER) there were—ayes 97, noes 112.

Mr. SCRIVNER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BARDEN and Mr. SCRIVNER.

The Committee again divided and the tellers reported that there were—ayes 98, noes 130.

So the substitute was rejected.

The Clerk read as follows:

TITLE I—PAYMENTS TO STATE EDUCATIONAL AGENCIES

Authorization of appropriations

SEC. 101. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1957, and the four succeeding fiscal years, such amounts, not to exceed \$300 million in any fiscal year, as may be necessary for making payments to State educational agencies under this title.

Allotments to States

SEC. 102. (a) The allotment of any State for the purposes of this title shall be the sum of the amount allotted to it under subsection (b) and the amount allotted to it under subsection (c), with any adjustment in such sum which results from the application of section 103.

(b) One-half of the funds appropriated for any fiscal year pursuant to section 101 shall be allotted among the States as follows: The Commissioner shall allot to each State an amount which bears the same ratio to the funds being allotted by this subsection as the school-age population of the State bears to the total of the school-age populations of all the States.

(c) (1) The remaining one-half of the funds appropriated for any fiscal year pursuant to section 101 shall be allotted among the States as follows: The Commissioner shall allot to each State an amount which bears the same ratio to the funds being allotted by this subsection as the product of—

(A) the school-age population of the State, and

(B) the State's allotment ratio (as determined under paragraph (2)), bears to the sum of the corresponding products for all the States.

(2) The "allotment ratio" for any State shall be 1.00 less the product of (A) .55 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the continental United States, except that the allotment ratio for Hawaii and the District of Columbia shall be .50, and for Alaska, Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be .75. The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this act, and again between July 1 and September 30 of the year 1959, on the basis of the average of the incomes per child of school age for the States and for the con-

tinental United States for the 3 most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for each of the 3 fiscal years in the period beginning July 1, 1957, and ending June 30, 1960, and the second shall be conclusive for each of the 2 fiscal years in the period beginning July 1, 1960, and ending June 30, 1962.

(3) For the purposes of this title—

(A) The term "child of school age" means a member of the population between the ages of 5 and 17, both inclusive.

(B) The term "continental United States" does not include Alaska or the District of Columbia.

(C) The term "income per child of school age" for any State or for the continental United States means the total personal income for the State and the continental United States, respectively, divided by the number of children of school age (in the State and continental United States, respectively).

(d) A State's allotment under this title shall remain available for reservation of funds pursuant to section 105 (b) for projects in such State until the end of the second fiscal year following the year for which the allotment is made.

Maintenance of State and local support for school financing

SEC. 103. (a) The sum of the amounts allotted to any State under section 102 for any year shall be reduced by the percentage (if any) by which its State school-effort index for such year is less than the national school-effort index for such year. The total of such reductions shall be reallocated among the remaining States by proportionately increasing the sum of the amounts allotted to them under section 102 for such year.

(b) For purposes of subsection (a)—

(1) the "State school effort index" for any State for a fiscal year is the quotient obtained by dividing (A) the State's school expenditures per public school child by (B) the income per child of school age for the State; except that the State school effort index shall be deemed to be equal to the national school effort index in the case of (i) of Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia, and (ii) any State for which the school expenditures per public school child are not less than the school expenditures per public school child for the continental United States;

(2) the national school effort index for any fiscal year is the quotient obtained by dividing (A) the school expenditures per public school child for the continental United States by (B) the income per child of school age for the continental United States.

(c) (1) The school expenditures per public school child for any State for purposes of determining its State school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the State and subdivisions thereof for elementary and secondary education made from current revenue receipts derived from State and local sources in the State, as determined by the Commissioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of children in average daily attendance in public elementary and secondary schools in such State, as determined by the Commissioner for such most recent school year.

(2) The school expenditures per public school child for the continental United States for purposes of determining the national school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the States and subdivisions thereof for elementary and secondary education made from current revenue

receipts derived from State and local sources in the continental United States, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of children in average daily attendance for such year in public elementary and secondary schools in the continental United States, determined as provided in paragraph (1).

(3) The income per child of school age for the States and for the continental United States shall, for purposes of subsection (b), be determined by the Commissioner on the basis of the incomes per child of school age for the most recent year for which satisfactory data are available from the Department of Commerce.

State plans

SEC. 104. (a) Any State which desires to accept the benefits of this title shall submit to the Commissioner, through its State educational agency, a State plan which shall—

(1) provide that the State educational agency shall be the sole agency for administering the plan;

(2) set forth a program under which funds paid to the State under this title will be expended solely for school facilities construction projects approved by the State educational agency;

(3) set forth principles for determining the priority of projects in the State for assistance under this title which will assure that first priority will be given to local educational agencies which, upon making an effort commensurate with their economic resources, are unable, solely because of lack of such resources, to finance from the resources available to them the full cost of needed school facilities; the priority principles set forth in accordance with this paragraph shall take into account (A) the financial resources of the several local educational agencies in the State, (B) the efforts which have been and are being made to meet their needs for school facilities out of State and local funds, and (C) the urgency of their needs for school facilities, determined according to conditions of overcrowding or lack of facilities, and the extent to which unsafe and obsolete facilities are in use;

(4) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

(5) provide an opportunity for a hearing before the State educational agency to each local educational agency within the State which applies for approval of a construction project under this title;

(6) provide for the establishment of standards on a State level for planning and constructing school facilities; and

(7) provide that the State educational agency will make such reports to the Commissioner, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his duties under this title.

In the case of any State in which a State agency has exclusive responsibility for the financing of the construction of school facilities, the Commissioner may modify or make inapplicable any of the foregoing provisions of this section to the extent he deems such action appropriate in the light of the special governmental or school organization of such State.

(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a), but shall not finally disapprove any State plan or modification thereof without first affording to the State educational agency reasonable notice and opportunity for a hearing. Hearings hereunder shall be subject to the Administrative Procedure Act.

(c) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State educational agency, finds that—

(1) the State plan approved under this section has been so changed that it no longer complies with the provisions of subsection (a), or

(2) in the administration of the plan there is a failure to comply substantially with any such provision, he shall make no further reservations under section 105 (b) for projects in the State, and no further payments for any project directly affected by such failure, until he is satisfied that there is no longer any such failure to comply, or, if compliance is impossible, until the State repays or arranges for the repayment of Federal funds which have been diverted or improperly expended. After notice as provided in this subsection to any State, the Commissioner may suspend further reservations of funds under section 105 (b) for projects in the State, pending the making of findings under this subsection.

Payments to States

SEC. 105. (a) Payments under this title shall be made to those State educational agencies which administer plans approved under section 104 and which furnish statements to the Commissioner in accordance with this section. Each such statement shall (1) set forth one or more projects approved by the State educational agency under the plan, (2) set forth the estimated cost of each such project, (3) set forth the amount of the Federal-State grant proposed to be made by the State educational agency with respect thereto, and (4) include a certification that State funds to cover the State share of such Federal-State grant will be available.

(b) Except as provided in section 106, the Commissioner shall issue, to each State educational agency furnishing a statement in accordance with subsection (a), a commitment reserving, out of the State's allotment, for each project included in the statement, the amount requested by the State educational agency for that project. The Commissioner shall change any amount so reserved upon request of the State educational agency and receipt of an amended statement from such agency, but only to the extent the change is not inconsistent with the other provisions of this title. The Commissioner shall pay the amount reserved to the State educational agency upon certification by the State educational agency that the financing of the remainder of the cost of construction of the project has been arranged. Funds so paid shall be used exclusively to meet the cost of constructing the project for which the amount was reserved.

(c) In lieu of certification by a State educational agency pursuant to clause (4) of subsection (a) with respect to a project, the Commissioner may accept certification by such agency that an amount equivalent to the State share of the payment with respect to such project has been arranged through provision for State payments toward the debt service on the loan (if any) to help finance part of the construction of such project, provision for waiver of payments due the State or any agency thereof with respect to such project, or other provision which, in the judgment of the Commissioner, is (or is estimated to be) equivalent to such State share.

(d) If any project for which one or more payments have been made under this section is abandoned, or is not completed within a reasonable period determined under regulations of the Commissioner, the State to which such payments were made shall repay to the United States, for deposit in the Treasury of the United States as miscellaneous receipts, the amount of such payments or such lesser amount as may be reasonable under

the circumstances (as determined by agreement of the parties or by action brought in the Federal district court for the district in which such project is located).

Matching by States

SEC. 106. (a) The Commissioner may issue or modify a commitment under section 105 with respect to any project only if the amount to be reserved under the commitment, plus any amounts paid or to be paid under other commitments previously issued under this title to the same State educational agency, does not exceed one-half of the sum of (1) the Federal-State grant toward the cost of constructing such project and (2) the total of the Federal-State grants toward the cost of constructing the projects for which such other commitments have been issued. Until actual construction costs are available, cost determinations under this section shall be made on the basis of the estimates furnished under section 105 (a) and revised estimates furnished in compliance with section 104 (a) (7).

(b) For purposes of this title—

(1) The "Federal-State grant" for any project means the total of the Federal and State funds (including the equivalent thereof as provided in section 105 (c)) paid or to be paid under the State plan toward the cost of construction of such project.

(2) The "State share" of a Federal-State grant with respect to any project is the difference between such grant and the amount paid to the State with respect to such project under this title.

(c) Notwithstanding the preceding provisions of this title, the Commissioner may, during the fiscal year ending June 30, 1958, and during the fiscal year ending June 30, 1959, issue or modify under section 105 a commitment of funds from a State's allotment for each such year if the amounts to be reserved under the commitment, plus any amounts paid or to be paid under other commitments previously issued under this title to the same State educational agency, does not exceed one-half of the sum of (1) the cost of constructing such project and (2) the total cost of constructing the projects for which such other commitments have been issued, and if the State educational agency certifies that the remainder of the cost of constructing the project in question will be paid from funds other than funds paid by the Commissioner under the act of September 23, 1950 (Public Law 815, 81st Cong.), as amended. The cost determinations under this paragraph shall be made on the same basis as is provided in subsection (a).

(d) In the case of any project to which subsection (c) is applicable—

(1) the amount paid or to be paid under this title with respect to such project and the amount of any other payments toward the cost of constructing such project shall be disregarded for purposes of determining under subsection (a) the amount of the commitment for any project which may be reserved during any fiscal year beginning after June 30, 1959;

(2) the statement required by section 105 (a) (3) shall be a statement of the amount of the reservation of funds requested with respect to such project instead of the amount of the "Federal-State grant";

(3) instead of the certification required under section 105 (a) (4), the State shall certify that funds from State or local sources, or both, equal to the non-Federal share of the cost of construction will be available; and

(4) the requirement in section 104 (a) (3) for standards and procedures assuring highest priority to certain local educational agencies shall be deemed met if such priority is assured subject to the matching requirements of this section.

Judicial review

SEC. 107. (a) If any State is dissatisfied with the Commissioner's final action under this title, such State may, within 60 days after notice of such action, file in the United States district court for the district in which the capital of the State is located, a petition to review such action. The petition for review shall (1) contain a concise statement of the facts upon which the appeal is based and (2) designate that part of the Commissioner's decision sought to be reviewed.

(b) Notification of the filing of the petition for review shall be given by the clerk of the court by mailing a copy of the petition to the Commissioner.

(c) No costs or docket fees shall be charged or imposed with respect to any judicial review proceedings, or appeal therefrom, taken under this act.

(d) Upon receipt of the petition for review the Commissioner shall, within 20 days thereafter, certify and file in the court the record on review, consisting of the complete transcript of the proceedings before the Commissioner. No party to such review shall be required, by rule of court or otherwise, to print the contents of such record filed in the court.

(e) All appeals from orders of the Commissioner shall be heard anew in the district court on the record filed, unless the court, for good cause shown, and on such terms as may be just, orders that other evidence be received.

(f) The court after review may dismiss the petition or deny the relief prayed for, or may suspend, modify, or set aside, in whole or in part, the action of the Commissioner, or may compel action unlawfully withheld. The judgment of the court shall be subject to review as provided in sections 1291 and 1254 of title 28 of the United States Code.

Labor standards

SEC. 108. (a) The Commissioner shall not make any payments under this title to assist in financing the construction of any school facilities project, except upon adequate assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on such project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U. S. C. 276a-276a-5).

(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a) of this section, the authority and functions set forth in Reorganization Plan No. 14 of 1950 (15 F. R. 3176; 64 Stat. 1267), and section 2 of the act of June 13, 1934, as amended (40 U. S. C. 276c).

Mr. BARDEN (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that title I be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAY: Page 31, beginning with line 19, strike out everything down through line 11, page 46, and insert the following:

"TITLE I—PAYMENTS TO STATE EDUCATIONAL AGENCIES

"Authorization of appropriations

"SEC. 101. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1957, and the four succeeding fiscal years, such amounts, not to exceed \$300

million in any fiscal year, as may be necessary for making payments to State educational agencies as provided in section 104.

"Allotments to States"

"Sec. 102 (a) (1) The sums appropriated for any fiscal year pursuant to section 101 shall be allotted among the States on the basis of the income per child of school age, the school-age population, and effort for school purposes, of the respective States. Subject to the provisions of section 103, such allotments shall be made as follows: The Commissioner shall allot to each State an amount which bears the same ratio to the sums appropriated pursuant to section 101 for such year as the product of—

"(A) the school-age population of the State, and

"(B) the state's allotment ratio (as determined under paragraph (2)), bears to the sum of the corresponding products for all the States.

"(2) The 'allotment ratio' for any State shall be 1.00 less the product of (A) 0.50, and (B) the quotient obtained by dividing the income per child of school age for the States by the income per child of school age for the continental United States, except that (A) the allotment ratio shall in no case be less than 0.25 or more than 0.75, and (B) the allotment ratio for Hawaii and the District of Columbia shall be 0.50, and for Alaska, Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 0.75. The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this act, and again between July 1 and September 30 of the year 1959, on the basis of the average of the incomes per child of school age for the States and for the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for each of the three fiscal years in the period beginning July 1, 1957, and ending June 30, 1960, and the second shall be conclusive for each of the two fiscal years in the period beginning July 1, 1960, and ending June 30, 1962.

"(3) For the purposes of this title—

"(A) The term 'child of school age' means a member of the population between the ages of 5 and 17, both inclusive.

"(B) The term 'continental United States' does not include Alaska or the District of Columbia.

"(C) The term 'income per child of school age' for any State or for the continental United States means the total personal income for the State and the continental United States, respectively, divided by the number of children of school age (in the State and continental United States, respectively).

"(b) A State's allotment under this title shall remain available for reservation of funds pursuant to section 105 (b) for projects in such State until the end of the second fiscal year following the year for which the allotment is made.

"Maintenance of State and local support for school financing"

"Sec. 102. (a) The sum of the amounts allotted to any State under section 102 for any year shall be reduced by the percentage—if any—by which its State school effort index for such year is less than the national school effort index for such year. The total of such reductions shall be reallocated among the remaining States by proportionately increasing the sum of the amounts allotted to them under section 102 for such year.

"(b) For purposes of subsection (a)—

"(1) the 'State school effort index' for any State for a fiscal year is the quotient obtained by dividing (A) the State's school expenditures per public school child by (B) the income per child of school age for the State; except that the State school effort

index shall be deemed to be equal to the national school effort index in the case of (1) Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia, and (2) any State for which the school expenditures per public school child are not less than the school expenditures per public school child for the continental United States;

"(2) the 'national school effort index' for any fiscal year is the quotient obtained by dividing (A) the school expenditures per public school child for the continental United States by (B) the income per child of school age for the continental United States.

"(c) (1) The school expenditures per public school child for any State for purposes of determining its State school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the State and subdivisions thereof for elementary and secondary education made from current revenue receipts derived from State and local sources in the State, as determined by the commissioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of children in average daily attendance in public elementary and secondary schools in such State, as determined by the commissioner for such most recent school year.

"(2) The school expenditures per public-school child for the continental United States for purposes of determining the national school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the States and subdivisions thereof for elementary and secondary education made from current revenue receipts derived from State and local sources in the continental United States, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of children in average daily attendance for such year in public elementary and secondary schools in the continental United States, determined as provided in paragraph (1).

"(3) The income per child of school age for the States and for the continental United States shall, for purposes of subsection (b), be determined by the Commissioner on the basis of the incomes per child of school age for the most recent year for which satisfactory data are available from the Department of Commerce.

"Payments to States"

"Sec. 104. When he has computed a State's allotment for a year, the Commissioner shall certify the amount thereof to the District Director of Internal Revenue for the Internal Revenue District of which the State is a part (or, if the State lies in more than one such District, to the District Director designated by the Secretary of the Treasury). From the collections made from such State from taxes levied under part I of subchapter A of chapter I of subtitle A of the Internal Revenue Code of 1954 (relating to income tax on individuals), the District Director of Internal Revenue shall retain an amount equal to the State's allotment. He shall then pay the State's allotment for the year, in equal monthly installments, to the State educational agency.

"Use of Federal funds"

"Sec. 105. (a) Sums paid to a State educational agency under section 104 shall be expended only for the construction of school facilities. It is the expectation of the Congress that funds granted under this act will be expended by each State in the areas of such State where there exists the greatest need for school facilities, determined according to conditions of overcrowding or lack of facilities, the extent to which unsafe and obsolete facilities are in use, and the greatest

need for financial assistance in constructing such facilities, determined according to the proportionate effort of the local educational agencies in relation to their economic resources. A semiannual report as prescribed by the Commissioner shall be submitted by the State educational agency to the Commissioner of Education for the record as to the use of Federal funds. Sums so paid during the fiscal year beginning July 1, 1957, or the fiscal year beginning July 1, 1958, shall not be expended by such State educational agency to pay for more than one-half of the total cost of constructing the school facilities for which such sums are to be expended. Sums so paid during any fiscal year beginning after June 30, 1959, shall not be expended to pay a larger portion of the cost of constructing the school facilities for which such sums are to be expended than is borne by the State (and not by its local educational agencies).

"Diversion of Federal funds"

"Sec. 106. If the Commissioner determines, after giving due notice and affording an opportunity for a hearing, that any funds paid to a State educational agency under section 104 are being expended in violation of section 105, he shall direct the appropriate District Director of Internal Revenue to cease making payments under such section to such agency. The Commissioner shall direct the resumption of such payments when such corrective action, by way of restitution or otherwise, as he finds appropriate has been taken by the State educational agency.

"Judicial review"

"Sec. 107. (a) If any State is dissatisfied with the Commissioner's action under section 106, such State may, within 60 days after notice of such action, file in the United States district court for the district in which the capital of the State is located, a petition to review such action. The petition for review shall (1) contain a concise statement of the facts upon which the appeal is based and (2) designate that part of the Commissioner's decision sought to be reviewed.

"(b) Notification of the filing of the petition for review shall be given by the clerk of the court by mailing a copy of the petition to the Commissioner.

"(c) No costs or docket fees shall be charged or imposed with respect to any judicial review proceedings, or appeal therefrom, taken under this act.

"(d) Upon receipt of the petition for review the Commissioner shall, within 20 days thereafter, certify and file in the court the record on review, consisting of the complete transcript of the proceedings before the Commissioner. No party to such review shall be required, by rule of court or otherwise, to print the contents of such record filed in the court.

"(e) All appeals from orders of the Commissioner shall be heard anew in the district court on the record filed, unless the court, for good cause shown, and on such terms as may be just, orders that other evidence be received.

"(f) The court after review may dismiss the petition or deny the relief prayed for, or may suspend, modify, or set aside, in whole or in part, the action of the Commissioner, or may compel action unlawfully withheld. The judgment of the court shall be subject to review as provided in section 1291 and 1254 of title 28 of the United States Code."

Mr. MAY (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MAY. Mr. Chairman, this amendment to title I covers some 8 pages, and I believe I can present the important facts to you in my statement as clearly and as effectively as possible.

The basic changes in title I, which I seek to change by rewriting the title are:

No. 1: Revision of the formula so it is keyed more to the need factor as depicted in the original McConnell bill, in line with the President's request that emphasis be placed on need. The formula is based on income per child of school age, the school-age population, and the effort for school purposes of the respective States.

No. 2: The same authorization of funds is allocated, but it is dispensed from the District Director of Internal Revenue within the State to the State Educational Agency, based on the formula, as determined by the Commissioner of Education.

No. 3: The basic powers of the Commissioner of Education to require the State to comply with all the rules and regulations, as contained in section 104, pages 36 through 39, are eliminated. The intent of Congress is directed at prescribing to the States that this money must be used for construction of classrooms, with emphasis on needy areas. Said sums cannot comprise over one-half of the total cost of constructing the school facilities. A semiannual report, as prescribed by the Commissioner, shall be submitted by the State Educational Agency to the Commissioner of Education for the record as to use of Federal funds.

Except for these changes, title I would remain essentially the same and would terminate at the same date.

This, in essence, is the amendment. I repeat some of the remarks I made yesterday concerning it.

First of all, both political parties in their platforms expressed interest in alleviating the shortage of classrooms in the United States which is primarily due to World War II and an increase in school-age population.

Secondly, I recognize that there are various estimates as to the classroom shortage, as has been stated on the floor here, and I am personally willing to admit that even if we compromise on the various estimates we do have a classroom shortage in the United States that must be met.

Third, I see no valid reason why \$300 million a year, out of a budget of over \$70 billion, should not be used as a stimulant to speed up State activity in school construction, provided—and I say that "provided" is the biggest word here—provided that there are no Federal controls now, nor will there be in the future, nor will this expand into a bureaucracy delving into all levels of our educational institutions, and be continuous forever.

This, to me, is the heart of the whole conflict on the floor today. This is the most serious implication of any long-range principle affecting the minds of our people on our historic educational processes.

I feel that my amendment is sound. I have spent a good deal of time on it.

I feel that it is a compromise that should appeal to all sections of the United States. Most important of all, I believe it has eliminated Federal controls and allows the States to have full jurisdiction over the use of these Federal funds.

I believe a majority of the people of the United States will agree that we have a classroom shortage which should be met, but nevertheless met without Federal control or intervention in education.

I agree with the words of Nicholas Murray Butler, president of Columbia University, who some 30 years ago said this:

A school system that grows naturally in response to the needs and ambitions of a hundred thousand different communities will be a better school system than any which can be imposed upon those localities by the aid of grants of public money from the Federal Treasury, accompanied by Federal regulation, Federal inspections, Federal reports, and Federal uniformities.

My amendment will accomplish what the people are after and what both political parties are after, a stimulant to school construction, but with the rights reserved strictly to the States.

If any further testimony is needed as to the greatest fear being fear of Federal control, coupled with recognition of the existence of a shortage, I can merely refer to the many remarks on both sides of the aisle I have heard here in the past 2 days according to this philosophy.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. MAY. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

Mr. BASS of Tennessee. I object, Mr. Chairman.

Mr. METCALF. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I was a member of the subcommittee on this bill. This is the first time I have spoken on the bill. I participated probably as much as any member of the subcommittee in the lengthy and drawn-out hearings on this legislation. In fact, in the absence of the chairman of the subcommittee, the gentleman from West Virginia, I was required to preside over the hearings the days the chamber of commerce put in their testimony and, for a proponent of the bill, as George Gobel would say, "Them was the very worst days."

Since this is my first opportunity to speak on this bill, I join my colleagues in paying tribute to the ranking minority member of the committee, the gentleman from Pennsylvania [Mr. McCONNELL], not only for his efforts in behalf of this bill but as a splendid chairman in the 83d Congress, when I first joined the committee, and as a fine friend. I am glad that his valedictory effort is in support of a measure to help the children of America such as this. It is characteristic that the gentleman from Pennsylvania would be retiring from Congress to take up another very humanitarian endeavor.

Mr. Chairman, I am opposed to this amendment. Some of you will recall that last year when this bill was on the floor of the House the gentleman from

Indiana [Mr. HALLECK] came down into the well of the House and said that the Kelley bill, the school construction bill that was then on the floor, was not the President's bill. With a good deal of acute insight into the bill and a careful analysis of the bill he said that many people thought that section 1 of the bill was the most important part of the bill. Then the gentleman from Indiana said that the President wanted a bill that would provide for a formula on the basis of need, and that the Kelley bill did not provide such a formula because the distribution was on the basis of school-age population. Secondly, that Federal funds had to be matched out of State funds so that there would be an incentive for the various States to add to the funds of the local communities.

In the bill last year, the Federal contribution was matched either out of State funds or out of local funds, or both. The gentleman from Pennsylvania, the ranking minority Member, offered two amendments which were defeated. When the Kelley bill was defeated last year the Republicans excused themselves by saying it was not an administration bill. But this bill, H. R. 1, incorporates every one of the provisions that the administration wants. It incorporates these two major provisions that the gentleman from Indiana said had to be in a bill to get administration approval. The formula on the distribution of funds has been slightly changed—it has been compromised, but the distribution of funds under H. R. 1 is on the basis of need. The States that have a relatively low per capita income will be entitled to twice as much money from the Federal Government for the construction of schools as States that have a relatively high income. If we adopt the amendment offered by the gentleman from Connecticut [Mr. MAY], it will only change that formula to provide that States that have a relatively low income will get three times as much as States that have a high income. We just had a vote on a proposition which provided that to the richer States there would be given an additional amount of money and that the poorer States would have a good deal taken away from them. The committee has decided in this bill that the fairest and most equitable method of distribution so that schools will be constructed in every State and, of course, you know that there are school districts in every State that are in need—that is, the 2 to 1 differential is adequate and will provide more schools and more incentive on the part of the States and local communities to build schools. This was a decision that was made after considerable discussion and research and careful weighing of the testimony before the committee. The 2 to 1 equalization ratio should be retained.

Mr. Chairman, the second thing that this proposed amendment takes out of the bill is the proposal for State plans. We have heard a lot about Federal control in the 2 days of this debate, but I want to say I have examined the various Federal aid to education bills that have been passed by preceding Congresses.

There are 81 such programs in operation today, in most of them there are provisions for State plans. In order to have an orderly handling of the funds of the Federal Government that go into these aid-to-education programs there must be some sort of State plan. This bill has the least interference in the State plan of any of the 81 aid-to-education programs that I have examined. As has already been described by the gentleman from Arizona [Mr. RHOADES] much less interference than in Public Law 815 or Public Law 874. But less than in our previously authorized programs for vocational rehabilitation, vocational education, assistance to the land-grant colleges, payments to the schools for veterans under the GI bill of rights, and so on through the whole list. Actually the State plan section of this bill is a withdrawal from previously adopted and accepted conditions of Federal control of education.

That is not to say there is not Federal control in H. R. 1. But it is not Federal control of education. It is a type of Federal control that has been accepted time and time again by Congress after Congress. One of these examples of Federal control that will be eliminated by the May amendment is the provision for the payment of prevailing wage under the Davis-Bacon Act. But that is not Federal control of education, that is not an attempt to influence the minds of children, or the curriculum or teachers. The Davis-Bacon Act should remain a part of this bill.

Mrs. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield.

Mrs. KNUTSON. Mr. Chairman, I am opposed to this amendment, but I am in favor of the bill, H. R. 1, and I want to associate myself with the remarks of my colleague in the well of the House.

The little red schoolhouse is a fond memory—very fond for some of us who received our education in that one room to which we trudged year in and year out. The village schoolteacher in whose head was all 12 grades of knowledge, patiently gave us all the facts we needed to equip us for life in a relatively peaceful and simple world: the three R's simple facts about our country's geography, its history, a smattering of this and that about the world, and a little about America's industry which was just beginning to "get rolling." Compare with me, if you will, the incredible difference between the ample education given us in the little red schoolhouse of a generation or so ago and the educational requirements of today. It would take a Univac to figure the space needed for our new educational facilities, and I think—with apologies to Univac—even that powerful brain would be hard put to it to figure out how these facilities—laboratories, all kinds of technical study aids and equipment—could be squeezed into the little red schoolhouse.

But more fundamental, of course, is the cost of these technical aids and this complex equipment, and the classrooms themselves, which are absolutely essen-

tial to the training and education of our young people to the complexities of modern living and the conduct of the world's work. Two points are involved here and I have not heard either of them covered.

First. It seems clear that the little red schoolhouse was adequate for the needs of the time. It is also clear that the independent farmers who built this country and our way of life, who believed in paying cash for what they needed, in this case education, would establish a tax system which was quite adequate to cover these simple needs. These pioneers taxed themselves for their needs, and logically placed the tax on property. Now, it is true that one way or another most of the educational facilities at this time derive ultimately from property taxation. It is equally true that wealth has shifted from the land to industry, although, of course, its ultimate source is the land. It is equally true that the chief beneficiary of today's education is industry. Our industrial economy requires engineers, scientists, teachers of mathematics, physics, chemistry, astronomy, and other highly skilled occupations. Our very lives depend upon our development of these trained minds. Without them, industry will grind to a halt, and all production of our defense and peacetime requirements will stop cold in its tracks. It is self-evident, therefore, that industry, through taxation, through the Federal Government, must pay its share of the increased cost of these complex educational facilities which provide the trained minds it must have to survive.

This world-shaking change has come about overnight as time goes—in a generation. The needs have come upon us before we have had a chance to figure out how we can pay for them. A generation ago, an administration began the consideration of these problems and the problems of individuals related to and resulting from the changes. It planned for protection of the individual, and for individual's needs, in such programs as social security, unemployment compensation, workmen's compensation and the like. As an analogy, when a man suddenly now requires a serious operation, there is insurance to pay for it—it does not become the disastrous event which formerly could have ruined his life and that of his family. Nationally, we are confronted with the same sort of problem. Surely, there are not too many people in the country today who do not realize that we face a critical shortage of schoolrooms. And they should know our children will suffer for lack of them. Yet we have no insurance to cover the cost. Until we can figure out a permanent solution, we must follow the logical temporary solution of letting industry assist the land in paying for the benefits which accrue largely to it. The bill we are debating today proposes a kind of troubleshooting stopgap arrangement—letting industry, through the Federal Government, help with the crash program of building up in the next 4 years, the essential classrooms it needs to train its future employees as well as the defenders of our way of life. Meanwhile, we can be thinking about a realistic

overhaul of our tax structure, which will take practical and permanent account of our changing—I should say changed—economy. The property tax was just fine and realistic in the last century. It covered all the simple needs of those days. Today's needs require today's solutions—if not today, at least first thing tomorrow morning.

Second. The questioning of the propriety of Federal aid in this critical period of classroom shortage is somewhat difficult for me to understand. Early this year I felt it necessary to put out a press release to my district stating my position on this question. With your permission I would like to quote this release in full:

A petition asking my opposition to the Federal-aid-to-education bill came into my office today, addressed to me but in mimeographed form and presumably, therefore, being circulated widely for signatures and possibly forwarded to others of our congressional representatives from Minnesota. I feel it necessary, therefore, to comment on this controversial but vitally important issue. I have been greatly concerned over this problem, not only in my individual capacity, as a parent, and in my former professional capacity as a high-school teacher, but also as your Representative in the Congress.

I have always felt that education is the greatest resource of our country; the type, standards, and scope of our educational facilities will determine among other things whether we as a nation advance in technology or whether we lag behind, as indeed we do, at the present time, lag behind Russia in the number of scientists being trained and educated each year. As our country develops economically and spiritually, there is greater and greater need for development of our educational facilities.

There are many reasons why I have come to feel the necessity of greater emphasis on education. Briefly some of them are these: It is a moral blow to our country when less money goes into education than we spend annually on liquor and tobacco. It is a detriment to our youth not to provide the best education—to furnish them with the tools and the trained mental equipment to make the most of the opportunities provided by this great country of ours, and for which our country has always stood. It is a blow to our defense if young men are not able to work with the highly technical equipment upon which our defense is mounted in these scientifically advanced days. Education is furthermore one of the prime weapons in the fight against juvenile delinquency.

If we are to develop our democracy consistently with progress in other phases of our lives, to retain a forward outlook, and to increase understanding and wisdom in our citizens, we must go forward with a broad and effective program of education. For this, large sums of money are needed; Federal aid to State and local communities for education is essential. Contrary to certain erroneous ideas as to local ability to pay for this great program, there are many, many areas in our country which are not able to foot the bill. Furthermore, in the past and even now, our local school systems rely largely on local taxation. We suffer greatly when, due either to reduction in local property values or to a change in economic conditions, tax receipts are reduced. If farmers do not receive adequate income they cannot pay adequate taxes. The changes in the times have left us with the requirement of changes in our thinking along the lines of tax structure and use of tax money. Right now cities are crying for new revenue sources. Almost all States are considering new means of raising revenue and, in most cases, local

governments have difficulty with the revenue they get. Although the Federal Government is heavily burdened by defense spending, it is, and will remain, the only potential source of revenue for the schools—yet the amounts required of the Federal Government would be a very modest percentage of its total expenditures.

I do not go along with the theory that the employment of Federal funds would automatically mean Federal control. At this time I can think of no area where Federal control has infringed on the rights of State and local communities in the field of education. Where the State has prior control, the Federal Government has a tendency to leave the control in the State and only consider the angle of the four freedoms. The land-grant colleges are federally sponsored but have you ever heard of Federal dictation to these colleges? Does the Federal Government by reason of its aid to the States for rural library services dictate the choice of books or the management of the service? Not to my knowledge.

There are areas, of course, in which Federal financing or Federal aid should—and does—imply Federal control. In the case of the postal service, for example, I don't think anyone would quarrel with Federal control. If this service were under any other (such as State) control, service conditions would be chaotic, and a first-class letter would probably cost 20 cents with no guaranty of its delivery.

Naturally we will hear much both pro and con on this vital issue, since it is an issue that affects us all in a thousand different ways, ranging all the way from the sanctity and enrichment of the family and its individual members, to the vast and thorny problem of national defense. There is a pressing need for increased classrooms and qualified teachers. President Eisenhower's message to Congress points out the need of 159,000 additional classrooms immediately just to take care of the present overflow. No State, no matter how strong economically, can now fulfill this growing need in view of the tremendous and continuing increase in our population and the equally tremendous advances in technology.

We must take the broadest view of the problem wherever possible. We in Minnesota are forward looking, favored, if you will, by the desire on the part of our citizens to build and develop the finest school system possible. We have much of the resources to accomplish this noble purpose. Others and other States are not so fortunate on either count. We who do understand the importance of universal education, who do understand that we as a nation are only so strong as our weakest link—in this case, our most illiterate areas—must take the leadership in this program, for the sake of national safety and the preservation of our high democratic standards.

As time passes, I shall probably like to discuss this problem with you again. Meantime, it will be gratifying to me to have your expressions of opinion on this legislation, since I consider this one of the fundamental issues of our time. In a short space, it is not possible to develop all the arguments for the legislation, but perhaps I have at least been able to give you food for thought on the problem.

Mr. Chairman, one of the additional problems mentioned in the last paragraph of the release is the question of extent of Federal control which would result from Federal aid. With your permission, I would like to quote my reply to one constituent's contention that buildings constructed by the Government are frequently abandoned half-way through construction and left to rot. Often, wartime emergencies do leave Government-built structures to decay

without use. I cannot see how this could be true of educational buildings. In the case of school buildings and their construction, the use of Federal funds would lie entirely in the hands of local officials. Unless a farm program were so poor that all the people would have to move out of a community leaving no students in the school, it appears to me school buildings would never be forsaken or left to rot.

The question of Federal control seems to disturb many people. I do not want to dwell on this problem. It has been given ample explanation for all who really want to know how Federal funds are administered. I will quote again from some letters to my district:

Further, on the education problem * * * our only disagreement appears to be over methods. We already have Federal aid to education to the extent of about \$2 billion yearly for school lunches, grants in aid, and others. Federal aid of this sort is always channeled into existing State and local educational administrative units and aid for school construction would * * * be handled in this way—through State and local organizations. There would be no Federal control of education, as such. Contrary to popular belief, most Federal programs are aids to States and are administered at State levels. Social security is an example. * * * In addition, our educational systems have school boards at the local level which are in complete control of educational matters at the local level.

In other countries of the world the natural interest of the national government in the education of its citizens does not seem to raise such terrifying pictures of Federal control, the hobgoblin of bureaucratic direction, as it does in this country. In fact, Federal aid to education is the rule rather than the exception. It seems rather taken as a matter of course, if not actually to be considered, in most instances, one of the primary responsibilities of the national government. I have here a publication of the United Nations entitled "Public Finance," in which the budgets of the member nations are set out. With your permission, I should like to quote at random figures from this publication—1956 or 1957 figures:

Country	Total earmarked for education	Total budget	Percent for education
Costa Rica.....	45.9	259.8	17.7
El Salvador.....	20.8	155.8	13.3
Panama.....	10.7	56.7	18.9
Malaya.....	117.5	1,007.7	11.7
Iran.....	4,219.0	19,636.0	21.2
Israel.....	47.6	636.58	7.5
Finland.....	31.0	195.7	15.8
Netherlands.....	980.0	6,885.0	14.2
Norway.....	334.4	4,809.0	6.9
Portugal.....	658.4	7,433.2	8.8
Sweden.....	1,205.0	11,221.0	10.7
United Kingdom.....	413.6	5,766.0	7.2
New Zealand.....	19.2	200.1	9.6
U. S. S. R.....	72,800.0	569,600.0	12.8

The United States is, of course, conspicuous by its absence in national contribution to education—that is, funds earmarked in the budget for purely educational purposes.

In order that the United States not continue to be a wallflower I would suggest that we learn to get along with the rest of the world. We need to learn what others have learned—that the interest

of the Government in a literate citizenry is a fundamental interest, particularly so in this modern world. I do not suggest this because I would like to be proud of my own country—I am—but for a much more practical reason. We cannot afford to let any country outrun this country in securing the broadest possible basic literacy. We must realize that we owe it to our children to provide them with the opportunity to "tool up" for their responsibilities in a highly complex world. They must be equipped not only to take their places in their communities, in occupations of their own choosing, but they must also be trained and able to cope in all ways with citizens of other nations. I must confess I was horrified to read that the President of the United States confessed he had had a tough time combating the arguments of a general of the U. S. S. R. How are our young people to cope with the increasingly complex international problems and apparently plausible arguments of other nationals—around the peace council tables or anywhere else in international affairs, if they are not enlightened about such a simple matter as the advantages of the democratic way of life? Who can they "sell" on the fundamental question of which is the better way of life—freedom or slavery—if they do not know which is better or why it is better? How can they follow up an advantage in argument at the council table, if there are not enough citizens behind them who understand what they are doing, understand the modern techniques of living and defense, to back them up?

This is a very real problem, enlightenment. I am concerned that nothing shall impede the chances of passage of this vital legislation. On March 28 a press release addressed to this very point was sent out from my office:

I have received a number of queries regarding my position on an amendment requiring integration of a State school system as condition-precedent to receipt of Federal aid as opposed to the passage of a school construction bill without restrictions. I feel it is appropriate for me, therefore, to add to my previous statement on Federal aid to education, a copy of my letter to a spokesman for the National Association for the Advancement of Colored People in Minnesota:

"DEAR —: Thank you for your letter of February 19. I wish to start by saying that when any FEPC or other measure having to do with equality of opportunity, racial justice, and fair play comes before the House for action, COYA KNUTSON's vote will be recorded for it. This is unequivocal.

"However, it would be less than candid for me to tell you that I would vote unqualifiedly for an amendment in the nature of POWELL's amendment. If it should come up in such a way as to be consistent with the passage of school construction legislation, naturally, I would vote with your request. However, I did not vote for POWELL's amendment (and under the same circumstances, I would not, again) because it was a crippling amendment. I feel we cannot hold up this legislation for anyone or for any reason when school construction is so vitally needed throughout the country. When an amendment appears which will most certainly kill such legislation, I will vote against that amendment.

"May I say, parenthetically, that the major purpose of education is the development and

achievement of enlightenment, and this is the prime purpose of democracy. Without enlightenment, no program having for its purpose man's deep understanding of his fellow man and his fellow man's problems can be permanently effective. The two goals should be pursued simultaneously, but not one at the expense of the other.

"When I think back over the circumstances surrounding the Powell amendment, I must confess I do not like them. The fact that Representative POWELL would bolt the liberal Democratic Party when that is the party which has promulgated and always supported the legislation indicates an opportunism that can accomplish nothing—and is not commendable. Furthermore, 90 Republicans voted for the Powell amendment and when this was incorporated into the bill, these same 90 Republicans then voted against passage of the whole bill. When, as and if, these Republicans can be straightened out to the point of desiring both racial justice and an adequate school construction program, and will vote for a bill with the right amendment in it, then you can expect me to vote for such amendment.

"My position is not antagonistic to your own. As I have said, any bill before the Congress which is designed to further the cause of humanity and justice as between your people and mine, will most certainly have my sympathetic and enthusiastic support."

Mr. Chairman the Kelley bill originally called for \$3.6 billion over a period of 6 years. H. R. 3986, the administration bill, called for \$1,300,000,000 over 4 years. The compromise bill proposes \$2 billion over 5 years or \$400 million each year. Close alongside of these figures, I would like to place a few additional—and I think—significant figures. As a people, we spend annually at least \$9.5 billion for liquor. Tobacco expenditures are over half that amount. Between liquor and tobacco, we spend upward of \$15 billion per year. Our total expenditures as a Nation for public-school education through high school are just over \$9 billion—less than we spend annually on liquor alone. As I see it, we could very well profit, both morally and in the development of this our greatest national resource—an educated people—by putting at least the same amount into our educational system that we spend annually on tobacco and liquor.

Mr. RHODES of Arizona. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I dislike taking the well to oppose the amendment of my friend, the gentleman from Connecticut, for two reasons. One, of course, is my very high regard for him and the work he is doing as a Member of the House of Representatives. The second is because his amendment appeals to me philosophically. This comes very close to being the McConnell substitute of last year, and the bill which a lot of us on this side wanted when we originally got into this Federal aid for school construction business. However, I am afraid it indicates the impossibility and undesirability of trying to write or rewrite a bill of this complexity on the floor. Let me point out just a few things which are, I think, defects which cannot be overcome in the short time that we have available. In the first place, Mr. Chairman, I will point out that section 101 of the amendment of the gentleman from

Connecticut authorizes an appropriation of some \$300 million. However, on page 6 of the amendment, the section entitled "Sec. 104" states that the money which is to be paid to the States will be paid directly by the director of internal revenue in the State. This money will never get into the Federal Treasury. I submit to you, Mr. Chairman, that it would be impossible for anybody to administer a law such as this because on the one hand it authorizes an appropriation of money, which never gets into the Treasury, and on the other hand it authorizes a gift of money which has never gone into the Treasury and which is in the hands of a district collector of internal revenue.

I also have very serious doubts as to the constitutionality of this amendment, as I did the amendment of the gentleman from Kansas [Mr. SCRIVNER]. I think it might be held to be an unconstitutional delegation of the powers of Congress to appropriate. I am sure that section 101 of the gentleman's amendment was intended to get around that objection, but I am also positive that section 101, being inconsistent with section 104, certainly does not help the situation any. In other words, to administer a bill like this it would be necessary for the administrative body to decide whether he will enforce 101 or 104. He could not enforce both of them.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I am sorry I cannot yield.

Mr. TABER. Mr. Chairman, I make a point of order against the amendment on the ground that section 104 of the amendment constitutes an appropriation and it is on a bill coming from a committee not authorized to report appropriations.

That motion is in order at any time before the bill is enacted.

Mr. HALLECK. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The gentleman is recognized.

Mr. HALLECK. In my opinion, the point of order comes too late. The amendment has been offered and reported and debate has begun on the amendment.

Mr. TABER. Mr. Chairman, it is specifically specified in the rules that that point of order is available at any time during the progress of the bill.

Mr. GROSS. Under rule XXI.

Mr. TABER. Under rule XXI.

The CHAIRMAN (Mr. WALTER). As to the question of timeliness of the point of order, there is no question but that it can be made at this time.

The Chair feels that this language "shall pay the State's allotment for the year, in equal monthly installments, to the State educational agency" makes the amendment subject to the point of order.

The Chair sustains the point of order.

Mr. TABER. If the gentleman desires to continue, I would reserve the point of order.

Mr. RHODES of Arizona. If the point of order is sustained, I have no desire to proceed.

The CHAIRMAN. The Chair sustains the point of order.

Mr. NICHOLSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am against this bill. I am against any bill that gives the Federal Government any power whatever over the doings of the people in my State, or my family or myself. Ever since 1620, when the Pilgrims landed in Plymouth, we have taken care of the educational system in our State. I want to tell the United States Congress that since 1949 my State has built \$600 million worth of school buildings. We would have built more could we have obtained the materials, but everybody knows that for several years after the war building materials could not be bought anywhere. In spite of this, however, we have built \$600 million worth of schoolhouses in our State, and we will keep building, the same as we have for 300 years, as long as it is necessary to do so.

One little town in Massachusetts has a tax rate this year of \$96 per thousand. I was quite flabbergasted when I learned that, especially having in mind what the gentleman from Texas [Mr. DIES], said yesterday about inflation, but let me remind you that most of that \$96 rate is made necessary by school construction. Practically every city and town in the United States, I guess, spends probably 70 percent of its tax money for schools and public welfare.

We find points of order raised against every bill or amendment that comes in here providing for Federal aid. If you have got along so far without Federal aid and they want you to take it, do not do it. Let me remind you of what too often happens when the Federal Government gets a foothold in local affairs. You will recall the scandals that arose some 10 years ago in the matter of the Government's contribution to Federal welfare in the States. The lists of recipients and their financial status were required to be kept secret. But the State of Indiana decided to do something about it, and they put through a law making public welfare information open to the public. The department down here refused to give them their share of the money because the Federal Government did not think such information should be published. But the first thing we did in the next session of Congress was to pass a law allowing Indiana to do it. I may be mistaken, but any Member from Indiana can correct me if I am.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman is exactly correct.

Mr. NICHOLSON. I thank the gentleman for corroborating my statement.

Economy has been the big issue this year and I know every single Member has received heavy mail on this subject, some of us getting letters by the bushel asking us to do something about economy. Today, however, we have before us a bill asking for the expenditure of \$3 billion, and the Federal Government has got to borrow every cent of it and

add it on to the national debt. I cannot understand the philosophy of those who would increase the already staggering public debt; but as I say, we have before us a bill which would require the borrowing of \$3 billion to take care of something that the States have, can, and should take care of for themselves—these school buildings.

Mr. Chairman, I make the statement that there are more and better schools in the United States today than there ever has been, and we will continue to build them and continue to educate the children in this country. The more education a nation has, the more opportunity to talk things over, the more things to see, the more chance we have of continuing this Republic under either a Republican or Democratic House and Senate.

Mr. WAINWRIGHT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WAINWRIGHT: On page 41, line 22, section 105 of the bill is amended by adding a new subsection at the end thereof to read as follows:

"(e) No funds appropriated pursuant to this title shall be granted to any local educational agency operating school facilities in violation of the decision on segregation by the Supreme Court of the United States."

Mr. WAINWRIGHT. Mr. Chairman, this amendment was offered by the gentleman from New York [Mr. POWELL] last year in a somewhat different form.

Briefly, in the Committee on Education and Labor the history of this amendment is as follows: Last year in our committee I introduced a similar amendment. It was defeated by a close vote. This year in committee, I again introduced a similar amendment. The gentleman from California [Mr. ROOSEVELT] introduced a substitute amendment. The gentleman from Minnesota [Mr. WIER] suggested a compromise amendment. I offered the compromise amendment with the language suggested by the gentleman from Minnesota. The gentleman from California [Mr. ROOSEVELT] seconded my motion. The motion was defeated by a vote of 10 to 16 in committee. So much for the committee action.

Mr. Chairman, we have on record here in the annals of our land a decision which is commonly known as the Supreme Court decision on segregation. We have that decision on the books whether we are in favor of the decision or against the decision. It is the law of the land today.

I say to you, Mr. Chairman, that there is a grave question of constitutionality when an equal body to that of the Supreme Court or the executive branch—I am talking about ourselves, the Congress of the United States—comes in and favors legislation of this kind which would provide for the building of white and Negro schools side by side in the South in those areas which have refused to comply with the Supreme Court decision. I say to my many friends in the South, they have a difficult problem that should be handled by them with State funds and not with Federal funds.

Several weeks ago we had before us a monumental bill which we sent over to the other body, entitled "The Civil

Rights Bill." I say to my friends on the right here who have expressed opposition to the amendment which I am proposing, how can you with your right hand rise here and vote for the civil rights bill, then turn around and vote against it today? One of the arguments that was presented was that there was adequate safety in the present bill before us. The action of the other body yesterday eliminated that safety or that security.

Mr. Chairman, I do not believe there is much need for me to take your time today because the question is very simple, clear, and plain. Will we, the Congress of the United States, vote to build segregated schools with Federal tax dollars? That is the question. You can hear all kinds of fancy legal arguments to the contrary, but the question is simply and exclusively, Shall we build those schools with our Federal tax dollars?

I would be astonished at my liberal friends on the other side of the aisle if they are in favor of building schools of this type in the South and I challenge and defy them to present any legal, intellectual, or moral argument to overcome the facts I have just presented.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield to the gentleman from Arizona.

Mr. UDALL. I have read the amendment offered by the gentleman from New York, my colleague on the committee, and it is far more sweeping than anything the gentleman from New York [Mr. POWELL] ever proposed. This amendment simply says:

Any school districts violating the Supreme Court decision.

Mr. WAINWRIGHT. Mr. Chairman, I do not yield any further.

I would like to point out to the House that the amendment I have offered limits the funds to those school districts which do not comply with the Supreme Court decision and not the States. Let us take the State of Delaware. If the State of Delaware practiced segregation in certain counties, and I do not have the information available, and other counties in that State were not practicing segregation, the limitation of funds would be merely to those areas, those school districts which are not practicing segregation.

I may say that this was discussed in committee, and I am sure the gentleman from Arizona was there when it was discussed. The very point that the gentleman from Arizona makes was made by the gentleman from Minnesota [Mr. WIER], and that is the reason I worded the amendment the way I did.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. WAINWRIGHT. I yield to the gentleman from California.

Mr. ROOSEVELT. I would just like to ask one question. Does this bill, as it is now written, appropriate any money to local school districts? I do not believe it does. I believe it appropriates money wholly and solely to State agencies.

Mr. WAINWRIGHT. Yes; but the State agencies in turn give it to the local

school districts for school construction, and those local school districts would not receive funds where they are practicing segregation.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. PERKINS. Mr. Chairman, reserving the right to object, the passage of the bill depends on the defeat of this amendment. The members of the Committee on Education and Labor certainly want to oppose this amendment, and we do not feel that we should arbitrarily be shut off here and denied time to present our views to the committee on such an important measure as this.

The CHAIRMAN. Does the Chair understand the gentleman to be objecting?

Mr. PERKINS. I object, Mr. Chairman.

Mr. BARDEN. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 30 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. METCALF].

Mr. METCALF. Mr. Chairman, I am opposed to this amendment for many reasons. I have time to set forth only one, the principal reason being the language contained in this amendment: No funds appropriated under this title shall be granted to any local educational agency. Federal funds under this bill are given to the head of a State educational agency, and the head of that State educational agency, the chief school officer, would have to be a crystal gazer to find out whether the local educational agency was or was not going to build a school in violation of the decision on segregation by the Supreme Court. You do not segregate boys and girls on blueprints. You do not segregate boys and girls in uncompleted schools. You segregate them after the schools are built. How on earth, after this money is distributed to the chief school officer of the State, the State superintendent of public instruction, would he or she know whether that local educational agency was going to have a segregated school or not? You could never find out until the school was built, the money paid out, the Federal Government and the State government long out of the transaction.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. THOMPSON of New Jersey. Mr. Chairman, I ask unanimous consent to yield the time allotted to me to the gentleman from Montana [Mr. METCALF].

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. BASS of Tennessee. Mr. Chairman, I object.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Chairman, I have consistently voted for the Powell amendment whenever it was offered. My views on the basic issue of civil rights

are well known and have not changed. I should like to ask the author of the pending amendment whether or not he signed the minority report against this bill.

Mr. WAINWRIGHT. If the gentleman is asking me whether I am opposed to the present bill, the answer is "Yes." If the gentleman is asking me if I am opposed to the Hobby bill, the answer is "No."

Mr. MORANO. I did not ask the gentleman that question. I asked the gentleman if he signed the minority report to the present bill.

Mr. WAINWRIGHT. I am opposed to the present bill.

Mr. MORANO. If the pending amendment carries, would the gentleman vote for the bill?

Mr. WAINWRIGHT. Provided the Hobby substitute were adopted.

Mr. MORANO. Mr. Chairman, I am against the amendment.

Mr. HAYS of Ohio. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HAYS of Ohio moves that the Committee do now rise and report the bill back with the recommendation that the enacting clause be stricken out.

Mr. HAYS of Ohio. Mr. Chairman, if you really want to kill this bill, you might as well adopt my motion and get the agony over with in a hurry. If you want to do it the hard way, you can adopt the so-called Powell amendment which was offered by the gentleman from New York [Mr. WAINWRIGHT].

I think it is fair to point out that Mr. POWELL's amendment is not an amendment which is designed to be friendly to the people for whom he purports to speak, because it is a well-known fact that if the amendment is adopted, the bill is dead and the colored children of the United States are not going to get any more schools with a dead bill.

Mr. HOFFMAN. Mr. Chairman, I make the point of order, that the gentleman offering the preferential motion to strike the enacting clause is now arguing the Powell amendment, which is the amendment that is pending.

The CHAIRMAN. That is part of the measure before the committee. The Chair feels that the gentleman is proceeding in order and overrules the point of order.

Mr. HAYS of Ohio. Mr. POWELL sent back a message of sorts which every Member of the House has received, which has a Washington dateline. I think it is fair to point out, as I did in the case of the civil-rights bill—and I suppose someone is going to say that I am saying this in the absence of the gentleman from New York; but I would like to point out that it is very difficult to speak in the presence of the gentleman from New York, because he is rarely here; I think it fair to point out. This message that the gentleman, Mr. POWELL, sent to every Member carried a Washington dateline. But if it was written by Mr. POWELL on the date that it carries, it was written on the Riviera, because the latest report that I had in the press about him was that he was in France and that he had just issued a statement to the press that he was the President's religious

representative over there to settle some sort of quarrel. He is very vague about the whole thing.

I was happy to note that the White House issued a denial and said he was not representing them; at least, if he was, they did not know about it.

But the point of all this is that the gentleman from New York [Mr. POWELL] is trying, through the gentleman from New York [Mr. WAINWRIGHT], to get his amendment into this bill during his absence on the French Riviera. I again submit to you that if the gentleman's amendment is carried the bill is dead. If you really want to do something about building school buildings, then you will vote against the so-called Powell amendment. If you are against the bill really, truly and sincerely, then this is one way to kill it. I think the matter can be summed up as simply as that.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman.

Mr. MORANO. I do not question the gentleman's sincerity in offering his motion to strike the enacting clause. What I want to know is, is he going to vote for his own motion to strike the enacting clause?

Mr. HAYS of Ohio. The gentleman is going to ask unanimous consent to withdraw the motion, but he assumes the gentleman from Michigan will object because he will probably want to speak against it.

Mr. METCALF. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, a vote in favor of the Wainwright amendment is a vote to kill this legislation, just as surely as the gentleman from Ohio has told you. It is the most critical and crucial vote that is going to take place on the floor.

The other day in the course of debate some Members said they had not heard about any responsible public officials who had asked for the passage of this bill, yet the most responsible public officials in the school world are the chief State school officials, the State superintendents, and the commissioners of instruction. Twenty-six of them, elected officially, elected by the same electorate that elect Members of this body, unanimously passed a resolution saying that they favored the enactment of a bill for Federal aid for school construction, but saying:

We are vigorously opposed to the Federal control of education, which would result in the granting of discretionary authority to Federal administrative officials to withhold funds on the basis of segregation or desegregation, thus substituting their judgment for the judicial process of enforcement as prescribed by the United States Supreme Court.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from New York.

Mr. WAINWRIGHT. I am wondering whether the gentleman would go to the heart of the amendment. I know the gentleman is not in favor of segregated schools in the South. Would the gentleman explain how, instead of killing this bill, we can stop the use of Federal funds for the building of segregated schools?

Mr. METCALF. I will explain to the gentleman from New York that we have plenty of law right now to stop building segregated schools. The Supreme Court decision is going into operation whether we adopt this amendment or not. The Supreme Court decision, as I pointed out the other day in colloquy with the gentleman from Georgia and the gentleman from Arizona, applies whether State funds or local funds or any other funds are concerned. We have the presumption in this country that a public official will do his job in accordance with his oath of office and in accordance with the statutes and the Constitution. This amendment points the finger right at the school administrators of a great region of this country and says that "The presumption that you are going to do your job in accordance with the law and the Constitution is a presumption we shall not indulge in these segregation cases." You are saying to officials all over America, State officials, local officials, officials of public instruction, that "We do not believe you are going to carry out the law, so we are going to say to the Commissioner of Education that he cannot give any money to any local educational agency."

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from California.

Mr. ROOSEVELT. Is it not also true that this amendment is absolutely unworkable, because there would immediately be a whole list of litigations started everywhere which would keep the schools from being built, because there is no decision at this time as to what local school agencies are in violation of the Supreme Court decision?

Mr. METCALF. It is completely unworkable because it is impossible to foresee. Not only does this amendment point its finger at every local official of the States concerned with instruction, and cast a doubt on their integrity, but it points its finger at the colored race and makes the colored race the people who are responsible for withholding schools from people all over America.

Mr. WAINWRIGHT. If the gentleman will yield, I commend the gentleman and think he is making an excellent statement, but does he not agree that if the Supreme Court decision is followed and my amendment is not in the bill it would be years before any action could take place, whereas my amendment would stop things right at the start?

Mr. METCALF. The Supreme Court decision is going to be in effect whether your amendment goes into this bill or not.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield.

Mr. YATES. The gentleman from New York by his statement just placed himself above the Supreme Court.

Mr. METCALF. Of course he has. The gentleman from New York does not believe in deliberate speed.

Mr. Chairman, the Supreme Court decision is going to be in effect on local funds and State funds and Federal funds regardless of what happens to this

amendment. The Supreme Court decision is going to be in effect so far as the development of segregated schools is concerned. The amendment of the gentleman from New York will not make any difference because the money will already have been distributed to the local officials. The schools will have been built before anyone can tell whether they are going to be operated in compliance with the Supreme Court decision or not. The presumption is that there is going to be compliance. The only effect the pending amendment will have is to prevent some Members from voting for this bill who would otherwise vote for it. It will not speed the course of integration, it will not add to the protection already found in the law for the rights of those attending the public schools of America. It will create an impossible administrative situation and give birth to innumerable lawsuits that will further delay the construction of sorely needed classrooms.

The CHAIRMAN. The question is on the motion offered by the gentleman from Ohio [Mr. HAYS].

The question was taken; and on a division (demanded by Mr. McCONNELL and Mr. BASS of Tennessee) there were—ayes 54, noes 132.

So the motion was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. DELLAY].

Mr. DELLAY. Mr. Chairman, I rise in opposition to the pending amendment.

I believe it is clear that the majority of the American people support in principle and in practice a program to give temporary Federal financial aid to the school districts all over the country which are right now—this minute—facing tremendous problems in planning for the future of their educational systems.

The legislative proposal to give emergency Federal aid for school construction is, in my opinion, one of the most important issues to come before the House this session. Millions of American schoolchildren will be affected by what is decided on this issue by the Members of Congress.

We hear from all sides the statement that this is the year for economy in Government, this is the year when we should not embark on new programs which will take money from the Federal Treasury.

Mr. Chairman, we have millions of parents and grandparents all over the country who want their children and their grandchildren to grow up competent to handle the challenge of the modern world. They will be resentful if Congress skimps on educational nourishment.

It has been a source of increasing pride as a freshman Congressman to have tagged along with the Members of this great body who have done an intelligent and admirable job in holding the line and to a successful degree having reduced the budget for the coming fiscal year. However, we have done so in the knowledge that some savings would have to in part furnish aid to programs such as the one we are facing at present.

Mr. Chairman and fellow colleagues, any amendment to force the problem of

integration in the school system in any field of Federal aid to education would be both tragic and ironic. Education is the one field that can be most helpful in furthering a peaceful, orderly integration if given the necessary time to educate the people to the idea. Orderly integration can only be brought about by advanced education and greater opportunity for education, particularly in those areas where integration poses the greatest problem and the educational need is greatest.

Mr. Chairman, it is my firm opinion that if the supporters of the proposed amendment reexamine and reevaluate their proposal they will agree that the amendment though sincere in thought is definitely not only impractical in purpose but destructive to the very cause that they would champion, and which I am trying to help.

The CHAIRMAN. The Chair recognizes the gentleman from Delaware [Mr. HASKELL].

Mr. HASKELL. Mr. Chairman, I rise in opposition to this amendment. I have lived with this bill since 1953. I have worked in the executive branch of the Government on this bill and have been on the subcommittee working on this bill trying to compromise it to the position of the President. I believe when we compromised this bill, we compromised it about 70 percent of the way to the position of the President. Originally, there was an equalization in this bill of about 6 to 1. We took it down to 3 to 1. We then took the change in committee and compromised it down to 2 to 1—and I still supported the bill. If we put the Powell amendment in this bill, there is no equalization at all. You simply eliminate the States that need these funds the most for educational purposes. You deprive the most needy of the opportunity to get help. I say that is going backward and I will not be able to support the bill if this amendment carries.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KEARNS] is recognized.

Mr. KEARNS. Mr. Chairman, in listening to this debate and probably as the last school administrator in this body, there is one sad tone to it all. We have forgotten the prime objective, and that is the boy and girl of America. It was my idea that when we were going to build schoolrooms with the brick and mortar approach, it was to supply classrooms for the boys and girls of America. But since this legislation has come before us, we have the Supreme Court involved; we have the White House involved; we have both bodies of Congress arguing on other issues. I do not feel that the gentleman who introduced this amendment is conscientious or true to the boys and girls of America, and for this reason, that any man who stands on this floor and says he is for an amendment like this does not have the interest of the boys and girls of this country at heart.

I ask that the amendment be defeated.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The Chair recognizes the gentleman from Pennsylvania [Mr. McCONNELL].

Mr. McCONNELL. Mr. Chairman, I think my position in relation to the Powell amendment is well known. It will have a great effect on the final decision on the bill. I think there is a better method of getting at this, and that was mentioned in the Supreme Court decision. I think it is a matter for the courts and not for the Administrator or a department of Government to decide. Therefore, I hope the amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, this is it. If you are for the bill, vote against this amendment offered by the gentleman from New York who is against the bill. If you want to kill the bill, vote with the gentleman from New York, for the amendment that contravenes the decisions of the Supreme Court of the United States.

This amendment will hamstring the disbursement of all funds under any legislation that may be enacted. The gentleman from New York's amendment is quite different from the amendment offered by his colleague [Mr. POWELL].

I certainly hope the House will vote down the gentleman's amendment, and I do not entertain the fears that some of my colleagues entertain concerning any future appropriations that may follow the passage of the legislation. For instance, Virginia, since we enacted Public Law 874, has received \$39,758,902 alone for maintenance and operation from the Government, and for school construction has received \$52,514,926. All the States in the Union have received Federal funds to construct school buildings under our impacted legislation. Even the State of Texas has received in excess of \$33 million for maintenance and operation from the Government, and more than \$44 million for schoolhouse construction.

There has not been the first attempt to attach a rider to an appropriation bill that would prevent the orderly disbursement of these funds. No such attempt has been made in the hospital-construction program, the vocational education and vocational rehabilitation programs. I have a feeling that the House of Representatives would vote down any such amendments in the future that would undertake to interfere with Supreme Court decisions on an appropriation bill.

According to the Washington Post, the President, in my home State of Kentucky, among other things, made this statement when he spoke in Lexington on October 1. He said Democrats lost 1 of the 5 precious years his \$2 billion program covered when they voted against a House Republican motion to recommit the bill to bring it into line with his principle "that Federal aid be distributed to States on the basis of need."

Mr. Chairman, I am hopeful that members of the President's party will join with us in defeating this amendment. We should stop quibbling on extraneous issues and pass school-construction legislation.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KELLEY] is recognized.

Mr. KELLEY of Pennsylvania. Mr. Chairman, most of us remember what happened last year when the so-called Powell amendment was adopted. It was a good excuse for many Members to vote against the bill, and I fear the same thing will happen today.

I am aware of the fact that this amendment has no place in this legislation. This is a matter to be taken care of by the judicial department of the Government. It is most unnecessary at this time. If this amendment is adopted and the bill defeated, it would be a stigma on the colored race. They would be blamed for defeating the bill which has for its purpose the construction of school rooms for all children in the United States.

I hope the amendment is defeated.

The CHAIRMAN. The gentleman from New Jersey [Mr. FRELINGHUYSEN] is recognized.

Mr. FRELINGHUYSEN. Mr. Chairman, I think this amendment is unwise and should very definitely be rejected. There has been a lot of talk about Federal control in legislation of this kind. This would be an attempt to set up the most objectionable kind of Federal control. It would be an attempted prohibition on the States to do certain things. There would be interference with what should be done through judicial processes. It would impede the basic cause of integrating schools as rapidly as may be feasible. It would penalize children because of the accident of where they are living. I think it would very definitely kill the bill. It is improper to inject administrative control by the Federal Government of this kind and the amendment should be defeated. It would be a dangerous precedent, for the principle could be extended to existing legislation or any other legislation of this kind.

The CHAIRMAN. The gentleman from Arizona [Mr. UDALL] is recognized.

Mr. UDALL. Mr. Chairman, I am opposed to the amendment, as I indicated earlier, because in my opinion it is far more sweeping than anything the gentleman from New York [Mr. POWELL] ever proposed. It would substitute a judgment other than a judicial judgment, as I see it in these local integration cases. I fear that it would harm the very people who are trying to inch forward in this problem; that we would be penalized by the enactment of this amendment penalize the people of Nashville, Tenn.; Little Rock, Ark.; and the people of North Carolina who are moving toward a solution of this issue. The sort of approach proposed in this amendment would penalize the people who are ready to begin taking a vital first step. I say, therefore, this would defeat the cause of school integration.

I urge the rejection of this amendment.

The CHAIRMAN. The gentleman from Alabama [Mr. ELLIOTT] is recognized.

Mr. ELLIOTT. Mr. Chairman, I plead with the Members of the House to defeat this amendment. If you do not defeat this Wainwright or Powell amendment it will eventually kill this bill as effectively as it ever can be killed. It killed

the school construction bill last year. It will kill it again.

I am sure the Members of Congress do not want to set a policy here today that would spread from this situation to strike down our vocational education, to strike down our vocational rehabilitation, to strike down our college housing, to strike down our funds for our land-grant colleges. That would be the effect on the South if the Congress starts putting this type amendment on these bills. This amendment, Mr. Chairman, is more vicious and more penal than any decision ever rendered by the Supreme Court of the United States.

I ask that the amendment be defeated.

If it is not defeated here on teller vote, then I ask and urge that you vote against it on the separate record vote that will come on this amendment.

The CHAIRMAN. The gentleman from California [Mr. ROOSEVELT] is recognized.

Mr. ROOSEVELT. Mr. Chairman, I am sure it is going to be very easy for certain Members of this House to turn my own words back to me and to point out that there is an inconsistency in the stand which I am taking at this time. However, as I said the other day on the floor of this House, I believe that present conditions are quite different than they were when we considered this measure the last time, and I believe very firmly that this amendment is introduced for but one purpose. In the first place it is not even the Powell amendment; in the second place it is introduced by an avowed opponent of the bill. It is introduced merely for the defeat of the measure. I am, therefore, opposed to it.

I want to make very clear in order that I can allay any fears on the part of some who spoke yesterday that while I made it clear that I was reserving the right on the part of those who joined with me in that statement to take future action, as far as I am concerned I will not take any future action on any appropriation bill that may come up.

The CHAIRMAN. The gentleman from Iowa [Mr. COAD] is recognized.

Mr. COAD. Mr. Chairman, I yield my time to the gentleman from California.

Mr. ROOSEVELT. I thank my good friend from Iowa, and I would simply like to add in fairness to those who have a right to know the reasons for the change in my position that I shall make every effort to get recognition under the 5-minute rule a little further in the debate.

The CHAIRMAN. The gentleman from Michigan [Mr. DIGGS] is recognized.

Mr. DIGGS. Mr. Chairman, it was, of course, with a great deal of reluctance that I arrived at the position I stated for the Record yesterday; but I believe for a number of reasons that the situation which prevails today is not the situation which prevailed a year ago. It should be obvious that I would not take this stand were I not convinced that there were other adequate remedies to correct the problem aimed at in this amendment. I am for this bill and I hope that the amendment offered by the

gentleman from New York [Mr. WAINWRIGHT] does not carry.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, earlier in the debate we were advised as to the position of the President with reference to this legislation. Why mention his position when just a day or so ago the postal employees bill was up for consideration and every Member of the House who voted except 38, voted in opposition to the President at that time. What is the idea of dragging him into this situation?

A little earlier the House by a substantial majority voted through a civil-rights bill guaranteeing or designed to guarantee the exercise of civil rights by our citizens. One of those civil rights was the right to attend school put through the civil-rights bill. Now there comes along the question as to whether you want to make that right to an education effective. Are you still for civil rights today as a few days ago you were. Are you today? If you are, why oppose this so-called Powell amendment? It is in furtherance of making available to all the civil right to attend school.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS of Arkansas. Mr. Chairman, I am sure that those who come from States where the problem does not exist, the desegregation problem, could be much more effective than I. Still I do want to support my good friend from Alabama [Mr. ELLIOTT] and the splendid work he has done, because many of us in the South believe in Federal aid to education.

As one who is for the bill, I want to register my opposition to the pending amendment offered by my good friend the gentleman from New York. I have been interested in Federal aid to education for a long time. I have stood for Federal aid of an emergency nature without Federal control. This amendment provides for Federal control with a vengeance. I do want to point out that it proposes to go straight through the State authority down to the local district. That is extremely dangerous in any kind of Federal relationship with agencies of local or State character.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SHEEHAN].

Mr. SHEEHAN. Mr. Chairman, this reminds me of an old jingle I used to know that went something like this: Consistency is a virtue; find it if you can. Always in a woman and seldom in a man.

I see a lot of my friends here who 2 weeks ago made a great plea for civil rights but are completely reversing themselves today. I am going to be consistent. I have always been for civil rights and I am going to support the Wainwright amendment. I am also going to support and vote for the best possible bill for aid to education.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. SHEEHAN. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Would the gentleman agree that on the basis of the statements we are hearing from the other side of the aisle the conditions in the South have improved tremendously in the last 3 or 4 weeks?

Mr. SHEEHAN. There is no question about that and I cannot see where the Democrats are being consistent if they do not support the Wainwright amendment. In other words, many of the gentlemen who were in favor of civil rights when the House considered such a bill several weeks ago are now opposed to civil rights.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, as I told the House last year, and I brought it out in the Rules Committee this year, this is a case of tweedle dee and tweedle dum. It is immaterial whether this amendment is adopted or not.

Let me say to my southern colleagues that they must not be misled, either by any changes in the last 48 hours or by what has gone on before. This will be offered as an amendment on an appropriation bill. If that is not done it will be done administratively. If that is not done, is there anybody so naive as to believe that the Supreme Court that said you could not have segregated schools with your own State money is going to permit you to receive Federal money and have segregated schools?

So, you lose any way it goes. Do not be misled by these last minute recantations of those who would deny these funds to those States maintaining segregated schools.

In the final analysis your States would be taxed to build schools in other States without receiving any of the benefits.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, my views with respect to this amendment are set forth in yesterday's RECORD on page 12629. I reiterate them.

I would like simply to make this point, that there are a number of Members in this body who are for the Powell amendment, who would sincerely want to vote for it but who cannot vote for this amendment simply and purely because this is entirely different; this is unworkable; this establishes no standards; this is, in almost every way I can think of, extraneous to this legislation, since none of the funds are to be applied directly to the local educational district to which it refers.

The gentleman from Michigan [Mr. HOFFMAN] a minute or so ago said he was sorry that Eisenhower's name had been dragged into this, and he did not understand why the President had to be dragged into it. Well, neither do a lot of us, but he did, in fact, have to be dragged into it, even in support of his own legislation. The Wainwright amendment can have only one effect if it is adopted. It will kill any possibility of Federal assistance for classrooms for the Nation's children. I urge its defeat.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, when this same amendment was presented to the proposed school legislation at the last session, I took the floor to state that legislation as proposed in that amendment had no place in the legislation then pending. I repeat that today. It is the duty of the court to punish. This proposal is a punitive piece of legislation to punish a few States who have not seen their way clear to comply with the Supreme Court decision. I say to you that it is the duty of the Congress to pass legislation that will bear equally on all of the citizens. It is the place and function of the courts to mete out punishment. They have equal opportunities now in the courts the same as all the rest of the citizens. And, I say to you that this legislation has no place here. Let them go to court.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York [Mr. WAINWRIGHT]. It seems to me only right and proper that the use of funds authorized by this bill be restricted to schools which are being operated in compliance with Supreme Court decisions. I cannot convince myself that it would be proper to levy Federal taxes upon my constituents for the construction of any schools under this bill which would be operated in violation of a Supreme Court decision. Such action would only encourage the continued violation of such decisions.

Let me take this opportunity further to state that I am in favor of H. R. 1, the Federal aid for school construction bill, and intend to vote for the measure. In my opinion, this bill will be beneficial to the children of this country. I hope that the bill is approved by this body.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, it is not my province to pass upon the motivation of the gentleman from New York in offering an amendment to a bill for which he intimates he will not vote even though his amendment is adopted. My responsibility is to determine my own vote and I must make that determination solely on the merits of the amendment, granting to all my colleagues the presumption that what they do is done in good faith.

The amendment offered by the gentleman from New York is of similar character to the Powell amendment of last year. There are some differences, principally that of designating in the Wainwright amendment school districts as the units from which funds are to be withheld. Whether this is workable I do not know, and on this point there seems to be some difference of opinion among my colleagues who previously have spoken.

But the objective of the Powell amendment and that of the Wainwright amendment are the same. The purpose is to withhold Federal funds for school purposes in such localities as do not accord all children the use of the school facilities on an equal basis and without

discrimination. The question raised is whether in good morals Federal moneys to which all citizens in the payment of taxes make contribution, can be used to construct schools from which the children of some of the contributing taxpayers will be excluded because of the circumstance of race.

I voted for the Powell amendment last year, and I voted for the school construction bill after the Powell amendment had been adopted. This I think was true of every northern Democrat. Many on the other side of the aisle voted for the Powell amendment, and then voted against the bill itself. I do not think this fooled anyone. In all likelihood the same Members who last year voted for the Powell amendment and then voted against the bill itself will follow a similar course this year. The inescapable conclusion is that they are against Federal aid to education. The adoption of the Wainwright amendment will not attract to the bill itself a single vote that otherwise it would not have had. Neither will the adoption of the amendment take away a single vote that would have been cast for the bill itself if unamended. A glance over last year's rollcalls of the Powell amendment and final passage of the bill should suffice.

On the other side there are many Members who are deeply and sincerely opposed to discrimination and who also are deeply and sincerely convinced that the future welfare of our country requires that Federal aid must be given to education. Some of these will vote against the Wainwright amendment because they regard it as part of a strategy not aimed at halting discrimination in our schools, but intended to defeat the cause of Federal aid to education. They believe that the adoption of the Wainwright amendment would defeat the pending bill and that it would make no contribution to the cause to which they are devoted, the cause of ending discrimination on grounds of race or religion in the public schools of our country.

My course, however, was determined when first I became a Member of the Congress and made a pledge to myself that whenever and under whatever circumstances there was given to me an opportunity of casting a vote against any form of discrimination not once would I deviate.

After we have passed on, so busy always are those who remain, that except with loved ones in family circles and among a few close friends we are not long remembered. But after I am gone if perhaps someone should think of me I would like to be thought of as one who gave his life and his humble efforts in a ceaseless fight against discrimination. I do not care what is the target of discrimination. It is discrimination itself that I hold as a destructive force, that operates as a poison to destroy the healthy growth of individuals and of States.

In the 81st Congress, when the housing bill that had come from the committee of which I was a member, and on it I had labored hard, was under consideration in this Chamber, everyone knew that the vote would be very, very close. An antisegregation amendment

was offered, and it was generally believed that the adoption of this amendment would take away the last chance of the passage of the measure. The liberal Members of the House, just as sincere in their opposition to discrimination as was I, lined up to defeat the amendment in order to save, they thought, the bill. I voted for the amendment, which lost by just one vote. Had the amendment carried by one vote and the bill itself later had been defeated there would have been those perhaps who would have blamed me for the defeat of a housing program that was closer to my heart than any other legislative measure that came before the 81st Congress.

So, Mr. Chairman, I shall vote for the Wainwright amendment. I have never voted otherwise. I never will. I shall hold to the pledge I gave to myself on coming here.

I profoundly respect my fellow-liberals who are voting against the amendment and have so sincerely given us their reasons. No one can question them and their loyalty to the cause of civil rights. Their devotion to that cause they have proved time and time again. They are fearful that if Federal aid is not given to the construction of schools, all children will suffer from a lack of classrooms, but if now Federal aid is given the classrooms will be built and in time, as slowly we work out of the shadows of discrimination, they will be opened to all children.

I cannot say, however, that I quite agree in their conclusions. The Members who are against Federal aid to education, whether they come from the South or the North, will not be swayed in their voting against this bill whether it stands in its present form or has added to it the Wainwright amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, I just have one brief thought particularly for the Members on my right. This particular amendment says in effect that the President of the United States shall now be the person who decides whether school districts are complying with the law or whether they are not. Under the Supreme Court decision, in *Brown* against Board of Education, the Supreme Court said that schools must be desegregated with deliberate speed. If this amendment is adopted, then before the President of the United States could give any money to any person under this bill, it would be necessary for him to determine that a local educational agency was not operating a school facility in violation of that decision. In other words, that the particular district was desegregating with deliberate speed. I, for one, do not care to put the administration in that particular situation.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman.

Mr. WAINWRIGHT. That is exactly the intention of the amendment and that was exactly the intention of the Powell amendment last year.

Mr. RHODES of Arizona. It may be the intention of the amendment, but it is not my intention as a member of the Republican Party to place the President of the United States in that position.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that all Members have permission to extend their remarks at this point in the Record.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BARDEN. Mr. Chairman, I yield back the balance of my time.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Chairman, I am in favor of H. R. 1 that would grant Federal aid to the States for school construction. In my judgment we are faced with a national emergency on school construction. There was a minimum shortage of 159,000 classrooms in the United States at the beginning of the last school year. The enrollment in our schools exceeded normal capacity by more than two million children. States and municipalities have made an effort to reduce the classroom shortage over the years since World War II, but the increase in new classrooms has never kept pace with the increase in the young population of the country. Last year alone some 63,000 classrooms were constructed but this figure hardly dented the deficit.

I think there is an obligation upon the Nation to provide decent education for its children. Decent education cannot be supplied if there are not sufficient classrooms, where there is overcrowding, and where the classrooms are in poor physical condition. The question is whether or not this Nation can afford to support education through Federal aid on school construction. The answer is can we afford not to support it. Can we afford not to assist our young people in obtaining the education they need if this country is to remain strong and a world leader for freedom?

I do not think that the critical shortage in classrooms can be fairly attributed to the failure of States and localities to meet their responsibilities, although there may be isolated instances of such failures. I would vote against any permanent plan of putting the Federal Government into the field of school construction, which is a State and local responsibility, but this legislation has a 5-year limit and is designed to meet an emergency situation.

I do not agree with the ungrounded fear on the part of many people that this legislation will lead to curriculum dictation from Washington. Language has been written into the preamble of this bill forbidding any form of Federal control over school personnel, books, curriculum, or school administration. The concluding section of the bill

already contained this prohibition but now it is spelled out in the preamble too.

Mr. Chairman, the record proves that the States and municipalities cannot meet this classroom shortage alone. Therefore, if this emergency shortage is going to be resolved, I think that it is the unavoidable responsibility of the Federal Government to assist with aid to the States at this time.

Mrs. PFOST. Mr. Chairman, I am wholeheartedly in favor of the bill before us to provide Federal funds for public schoolroom construction. In my opinion, it should be passed—and passed promptly.

The committee which brought this bill to the floor has done a superlative job in drafting a measure which is fair and workable. The formula for allotting funds on the basis of school-age population and State income is thoroughly equitable. My own State of Idaho would receive almost \$1½ million under the bill in the next 5 years—a sum which would be most welcome, I assure you.

There can be little doubt about the need—out across the Nation—for school construction money. I am not going to engage in the battle of statistics which is waging around the classroom shortage, and the extent to which school districts are meeting that shortage. It is enough for me that thousands of American children are going to school every day in facilities that are substandard and even dangerous to life and health.

School officials from Idaho and all sections of the country have come to Washington to testify in behalf of this school-construction bill. These officials maintain that local districts have bonded themselves to the statutory and constitutional debt limits and still find themselves unable to meet the increased needs for school building.

As you all know, the crucial classroom shortage is a product of both the depression and war years. During the depression years there was not enough money to build schools. During the war years the school districts could not find either materials or manpower. Then along came our war babies and our postwar babies, and we were in serious trouble. School enrollments have increased more in the past 5 years than ever before in our Nation's history. The enrollment increase in the next 5 years will be even greater.

Many communities in both your States and mine cannot cope with this galloping school population. This bill will help some communities to help themselves through a bond-purchase program, and will provide grants to school districts which cannot otherwise meet school needs.

I have never been strongly impressed by the argument that because the Federal Government helps school districts buy some bricks and mortar, it is necessarily going to reach a long arm out from Washington and control the schools which are built. I cannot see that this bill in any way threatens the traditional American concept that what is taught our children, and how it is taught to them, is the responsibility of the State and local community. I certainly would fight, with all the strength I possess, any

attempt from Washington to tell Idaho people how they should operate their schools. And I think Idaho people would do quite a bit of fighting themselves.

Those who argue that this bill would bring Federal control over local schools are literally rolling up their pants legs before they reach the stream, to use a good western expression. As you Members know, school-construction funds would be administered by the States, with any Federal connection very remote. This connection would be completely broken before a pupil or a teacher entered the school.

Mr. Chairman, this is a bill in the best American tradition in that it is an equality-of-opportunity bill. It will equalize the opportunities of American children for a decent education—wherever they may live. We should pass this bill without further delay.

Mr. COLLIER. Mr. Chairman, after any prolonged debate on a controversial issue, it is well to get down to cases. The justification for the legislation before us today rests basically upon the claim that existing classroom needs in certain areas—which admittedly exist—cannot be met at local and State levels. I believe it is fair, then, to proceed on this premise.

For the past three afternoons, I have listened attentively to the debate on this bill which has stretched across a concoction of photographs through an orgy of conflicting statistics and even to the ridiculous inference that those who oppose this particular bill are oblivious to the educational needs and standards of this Nation.

During the entire debate not a single proponent of this bill has offered any concrete facts or figures to refute the statement of the White House Conference on Education, made just 2 years ago, which very concisely concluded, and I quote the words of the report:

No State has demonstrated financial incapacity to build the schools it will need for the next 5 years.

Not a single proponent of this bill has offered concrete facts or figures refuting the statement of the Committee on Financial Responsibility in the Field of Education, and I quote again:

Federal aid is not necessary either for current operating expenses for public schools or for capital expenditures for new school facilities.

Not a single proponent of this bill has rendered any explanation for the fact that as of May 1957 only 2 of the 48 States made requests to Washington for Federal assistance. As a matter of fact, the legislatures of only 2 States up to this same date memorialized Congress to approve this new Federal aid program. Are we to believe that the majority of the many fine and competent legislators in the other 46 States are oblivious to their school problem and that we are more concerned and know better than they?

But the naked truth of the matter is that the survey findings and statistics offered by both the proponents and opponents of this bill cannot be accepted as accurate because they were gathered at

different levels and with different purposes in mind.

Take any set of figures from any source you prefer on the classroom shortage and ask yourself how much you would actually wager on their accuracy in the final analysis. Then consider the fact that the authorities in some States—who are certainly closer to their own school systems and facilities—were unable to supply the United States Office of Education with any definite information and data.

There is unquestionably a job to be done in certain districts and in some States in providing adequate school facilities. But before any of us become a party to sticking the nose of the Federal Government into it, I believe we should be satisfied that we have done so with the basic objective in mind and with reliable statistics on the number of school districts in the so-called distress areas. Should we not also have these areas and districts pinpointed and have assurance that in each instance everything has been done at a local level to solve the problem? Should we not know why States in which these areas are located cannot meet the need?

Might I suggest that each individual school district first demonstrate its need for more classrooms—the extent of this need and definite proof of its inability to finance construction, either through local or State authority. Only when such proof is available and we know with positive reliability that the problem cannot be solved on any other basis, should we consider Federal assistance which then should be restricted to a loan program providing for repayment to be made within a period of 30 years, as provided in title II of this bill.

As we reach a final vote on this bill, I submit that the real issues at stake have been distorted by various pressure groups both for and against H. R. 1. But I submit further that the injection of the Federal tax dollars into the school systems of America is a very serious step and should not be taken on the strength of what has been presented during the past 3 days of this debate, for if this action is taken, I fear that even the proponents of this legislation will live to regret its enactment. While those fearful of the long-range consequences of this program choose to justify such action as an emergency measure, we know full well the pattern of other Federal-aid programs which have gone on and on, grew and grew, and increase in cost year after year.

If this Congress does pass H. R. 1 we will have to do so consigning ourselves to the fact that it is another member of the mushrooming Federal-aid family of programs which we will endow to our children and our children's children, along with the astronomical Federal debt which stalks to prey upon them in a future generation.

I submit that the legislation in its present form is a buckshot approach to a problem that intelligently should be pinpointed so that it does not result in doing tremendously more overall harm than isolated good.

Mr. PORTER. Mr. Chairman, the measure now under consideration is H. R. 1 and I am proud to speak on its support. This proposed legislation represents informed thinking and speaks for the millions of Americans who want our younger generation to get an education worthy of future citizens.

H. R. 1 has bipartisan support. It is a compromise version, which reflects the statements, made in the platforms of both major parties, that there is an imperative need for the Federal Government to do something to counteract the serious and continuing shortage of classrooms in the United States.

The State of Oregon is distinguished neither by great wealth nor by great poverty and its people are doing their best to solve school problems at the local level. They find it difficult to build schools as fast as they are needed, as long as the building effort is based solely on local and State efforts.

Yesterday, during debate on this legislation, my friend and colleague, the distinguished gentlewoman from Oregon, a member of the hard-working committee which reported the bill we now consider, told you of the sorry school conditions in Oregon. She told you of basements, boilerrooms and hallways being used as classrooms. That sort of learning area is not likely to promote good study, nor promote the retention in our school systems of the teachers who must work under such conditions.

Frankly, gentlemen, I am unable to understand the lack of support for H. R. 1 by the President. Surely he knows the need for Federal aid. Surely he has been told of the shocking conditions. Surely he wants equal facilities for all.

I will not now go into the old but true story that the concern before us today comes because of the increasing number of children born in the United States during and after World War II. But I want to emphasize that if we neglect our schools and our teachers, these children may not be able to fulfill the tasks they will inherit. And, of course, the major task is leadership of the Free World.

There is no denying that these children make demands on our funds, our resources, our patience, and our ingenuity. We must now choose whether to meet these demands or to neglect them.

Competent educators have told us the classroom story. They have spelled out, room by room, the needs on the elementary, junior high school, high school and college levels.

It is this predictability, this certainty, that makes it possible for educators and other far-sighted citizens concerned with the problem of education to forecast the growing pressure on America's institutions of higher learning.

SHORTAGE EVIDENT

Today that shortage falls on the elementary and secondary levels. It won't end there, however, and the need, as reflected in the continuing high birth-rate, promises to go on for many years to come.

I repeat that we need an emergency measure to close the gap between the classrooms needed and the classrooms

which exist. We need a program which provides for a short, intensive push to close this gap. We need the type of legislation embodied by H. R. 1 as amended.

In Oregon, residents see that Federal aid in school construction will help meet the need.

I think many of us tend to overlook the fact the Federal assistance to education is as old as the United States itself. Federal aid to education does not involve a new philosophy. It dates back to 1785 when the Northwest Ordinance specified that "there shall be reserved the lot number 16 of every township for the maintenance of public schools within said township."

From this general beginning, Federal aid has taken many forms and has been of vital importance in improving education in this country. Most American State colleges have been encouraged by the two Morrill land-grant acts passed during the second half of the 19th century. The 20th century saw intensive efforts on the part of the Federal Government toward the encouragement of vocational education through the Smith-Hughes Act, the George-Reed Act and its many successors.

The fact of the matter is that the Federal Government is involved in education through school lunches, through veterans' education, and through the recent laws to assure Federal support for the building and operation of local schools in those areas which have seen an unusually heavy Federal impact.

PROGRAMS WELL ADMINISTERED

In telling you of these various programs of Federal aid to education, I think it should be emphasized often that they have been well administered at surprisingly low cost. This is shown in the Hoover Commission report. The Commission found, for example, that the cost of Federal funds involved in the national school-lunch program was less than 2 percent; in vocational education, 2 percent; in resident instruction in land-grant colleges, one-twentieth of 1 percent; and in the Federal assistance laws, less than 1 percent. There is every reason to believe that H. R. 1 will be equally inexpensive to administer. In fact, as originally proposed in the President's budget, the allowance for administration comes to twenty-two one-hundredths of 1 percent of the total proposed funds.

I would like to add a few words to show that the American people would have us enact this type of legislation. The two largest public opinion polling agencies in the country during the past few years have shown a strong, rising trend of support for a bill like H. R. 1.

You may recall the White House Conference on Education, held in Washington a year and a half ago—December 1955. At that time, nearly 2,000 men and women from every State and Territory gathered in Washington, discussed the problems of education, debated the issues, and finally approved Federal aid by a margin of more than 2 to 1. It is ironic that there were some groups which charged before the beginning of the White House Confer-

ence, that the committee was stacked against Federal aid. The delegates endorsed Federal aid—unequivocally.

OREGONIAN SELECTED

The 34 members of the President's Committee for the White House Conference on Education included an Oregon high school teacher, Miss Martha A. Shull of Jefferson High School in Portland. She was chosen to serve on this Committee in recognition of her efforts to advance the cause of education, efforts which reached a climax with her election as president of the National Education Association, representing 700,000 American teachers who are celebrating their centennial during 1957.

Miss Shull was a hard-working member of the White House Conference Committee which echoed the sentiments of the 2,000 delegates when the committee, in its official report to the President, wrote the following:

At the present time, the Federal Government provides about 3 percent of the revenue available to the public schools. This aid is limited to certain special purposes such as vocational education, school lunches, and aid for districts in federally impacted areas. Numerous proposals have been made for increasing the participation of the Federal Government in the financing of the public schools.

Most people agree that they do not want Federal control of our schools.

This committee believes that Federal aid for school construction should be made available on a limited basis to all States and Territories and the District of Columbia to help overcome the present school-building emergency. It believes, also, that Federal funds should be provided under the philosophy of encouraging greater use of State and local funds for school purposes. We believe that the best schools can be produced by continuing to assign to the States and local districts primary responsibility for financing, organizing, administering, and controlling the public schools. The committee believes that Federal aid to all the States can be justified, however, only on a temporary basis to meet an emergency situation such as the present school-building emergency.

Many figures are available to underline the school-building emergency mentioned by the Presidential Committee. Most of these figures come from the United States Office of Education which, under orders from Congress, completed a survey of school-building needs, based on an expenditure of some \$4 million of Federal and State funds. On the basis of this survey and additional reports from the States, the United States Office of Education has tabulated a continuing classroom shortage coming to a total of 159,000 rooms. This is the immediate need.

OREGON KNOWS NEED

Interest in Federal assistance for school construction has long been evidenced in the State of Oregon. On February 5, 1957, members of the Oregon delegation received a memorial from the members of the Oregon State House of Representatives urging that the Congress of the United States provide legislation giving grants-in-aid for school-building purposes in the various States. Copies of the memorial were sent to the President, Vice President, the Secretary of

Health, Education and Welfare, the President and Chief Clerk of the United States Senate and to the Speaker and Chief Clerk of this House. The Oregon memorial was approved January 28, 1957.

I have received many letters from my district and from the State of Oregon. The majority favor passage of H. R. 1.

Let me read you excerpts: Dr. Raymond E. Balcomb of the First Methodist Church, of Medford, Oreg., writes:

I regard this bill as meeting an absolute minimum.

The president of the Portland Teachers' Union No. 111, Phyllis Hutchinson, tells me:

The teachers' union believes that it is essential that there be action by Congress during the present session to provide aid for schools, especially for the construction of new schools to provide classrooms to meet the rapidly rising enrollment in our schools. It is not necessary to tell you that the situation is already acute in many areas and that there is little possibility that anything will be done or can be done on the local or State level to alleviate the crowded conditions in such areas. * * * Your active support of Federal aid to education which is vital to the welfare of the Nation is deeply appreciated by the Portland Teachers' Union No. 111.

CHANCELLOR FAVORS AID

In Eugene, Oreg., the Honorable Frederick M. Hunter, honorary chancellor of the State board of higher education, wired the President to express his support of Federal aid. Dr. Hunter told me:

It is my opinion that the 15,000 active members of the teaching profession of the State of Oregon are vigorously and militantly in favor of this aid. As a citizen of the Fourth Congressional District for 22 years, I urge you to do all in your power to bring about the early Congressional approval of the President's recommendations.

From Roseburg the members of Local 2949, Lumber and Sawmill Workers, have wired me of their support of H. R. 1 as amended. In Sutherlin members of the Lumber and Sawmill Workers Local 2814 express their support. In Eugene, Ted Prusia, executive secretary of the Willamette Valley District Council of the Lumber and Sawmill Workers wired me:

We urge you to vote yes on school construction bill H. R. 1 as amended. This represents the feelings of our 10,500 lumber and sawmill workers in our area.

The Oregon delegation attending the NEA convention in Philadelphia, 105 strong, wired me that they "urge your support for H. R. 1."

Support from many people pours into my office. Yesterday I received, as did other Members, a wire from the Honorable George Meany, national president of the AFL-CIO urging passage of the school construction bill "without any crippling or complicating amendments." Mr. Meany said failure to enact the bill would be a "vital blow to future welfare of our country."

In conclusion, let me reiterate that I believe in local control and support of American schools. I also believe that Federal aid, as provided in H. R. 1, will mean the continuation of local control,

but will provide the means to solve the physical shortage of classrooms in the United States today. Let us stop further delays. Let us unite in support of this compromise version of a bill—the need for which is clearly evidenced.

Mrs. GREEN of Oregon. Mr. Chairman, none of us who were realistically aware of this administration's gyrations on issues vital to the well-being of the people of this Nation have been surprised in the least with its tactics on the Federal aid for school construction.

Since January we have all witnessed the President's tactics during the battle of the budget which resembled a shadowboxing event more than the organized campaign of a Nation's leader convinced of the soundness of his position. No one yet knows how much harm has been done by the confusion precipitated on this one question. Under its cloak, the President has masqueraded a cosmic amiability to all.

But these tactics are of a pattern. They are part and parcel of an attempt to be all things to all men.

On civil rights, the fence-straddling has been just as pronounced—and just as disastrous. When he pulled the rug from under the Senate supporters of a strong civil-rights bill, we are told that the President was not aware of what was in the civil-rights bill until after it had passed the House.

And now on Federal aid for school construction, the general again ordered the retreat. America's schoolchildren cannot be educated by high-sounding pronouncements from the White House in election years. The general needs to contact the field and battle for those things in which he believes. On each of these issues—the administration has used the same tactics—supporting programs with words, not deeds.

That these tactics cannot long remain hidden from the American people is shown by the thoughtful editorial in the Oregon Journal for July 19, 1957, entitled "Fumbling on Civil Rights Bill." I include this editorial in full in the CONGRESSIONAL RECORD:

FUMBLING ON CIVIL RIGHTS BILL

This particular session of Congress has been touted as offering the best opportunity in 90 years for passage of civil-rights legislation.

Yet the bill was hardly off the ground before it ran into trouble. The southerners could have been expected to boobytrap the measure at every opportunity, but the fact is, most of the troubles to date stem from supporters of the bill.

The President's handling of the measure is reminiscent of the handling of the budget earlier in the session. When the budget was introduced, the President seemed to give the impression that cuts not only would be welcome but that it was the bounden duty of Congress to make reductions.

Later he said parts of the bill could not be cut without endangering the Nation's security, and the mutual security part of the budget measure still is in trouble despite two appeals to the people via TV.

On the civil-rights measure, the President said in his press conference the bill's objective is "to prevent anybody illegally from interfering with any individual's right to vote if that individual were qualified under the proper laws of his State."

That is part IV of the bill. Equally prominent is part III, which strengthens the Fed-

eral power to enforce all civil-rights laws, including the school-integration law, and it is this section which gives enforcement power by land and sea forces while part IV makes no reference to these powers.

This press conference statement left a perfect opening for Senator RUSSELL, Democrat, of Georgia, who charged that the bill was an example of cunning draftsmanship, and in addition that the measure is being promoted by a campaign of deception.

Further weight to the RUSSELL argument is added by the fact that the enforcement provisions in part III are not spelled out but incorporated by reference to old laws passed in the reconstruction era—laws which obviously are particularly abhorrent to southerners.

When attention was called to these enforcement provisions, the President said he can conceive of no conditions under which he would use force. The obvious Southern answer is, of course, that maybe he wouldn't but some other President might.

Thus, before debate has even started on explosive issues as, for example, the right of trial by jury in injunction cases, proponents are on the defensive and are offering compromises before the fight has really started.

The time is ripe for civil-rights legislation. It will be extremely unfortunate if the opportunity is lost by virtue of inept drafting and handling of the bill.

Mr. BATES. Mr. Chairman, all of us are vitally interested in adequate educational facilities and the general welfare of our children. However, the school building problem is not of such magnitude that we should abandon our traditional convictions and practices in respect to Federal aid for education.

We must never lose sight of the established fact that the downfall of many nations and their way of life has been enhanced by temporary expedients that shortly became a new way of life. Bureaucracy feeds on itself and seldom does any program, no matter how innocent or how temporary it may appear to be, ever become terminated.

It is my judgment that we should recognize these danger signals as they appear and dispose of them, rather than let them engulf us later when we have gone too far down the road to turn back.

I sincerely believe that our State and local communities can solve this problem much more efficiently. My home State of Massachusetts since 1949 has committed itself for \$600 million for school construction. Mr. Simeon J. Domas, head of the Massachusetts School Building Assistance Commission, has been quoted in a Boston newspaper as saying:

I do not know of a single Massachusetts city or town that is waiting for Federal aid.

The net effect of this bill will cost my Commonwealth \$3,100,000. In other words, the passage of this measure will mean less classrooms for my State. We are struggling to carry our own burdens, and the Governor has urged a sales tax to meet expenses which he believes necessary. Yet, this bill will provide North Carolina, which enjoyed a surplus in its treasury last year of \$63 million, a net of \$7,500,000. I might add that representatives of that great State are also opposing this bill in spite of this windfall.

The Federal Government can only give money which it has already taken away from the people and because of the waste

attendant to bureaucracy, it can only give back a portion of it.

The so-called poor States do not want this aid. Not a single Governor nor head of a school district in the entire country took the occasion to appear in favor of it. The local people are assuming their responsibilities. In the past 4 years, they have spent \$8.8 billion for school construction which was more than was spent in the preceding 20 years.

I am opposed to this type of Federal aid and I believe the majority of the people are against it.

I am firmly of the opinion that it is imperative that local school districts maintain control of education. I can imagine few things worse than having the educational system of our country controlled by a Federal bureaucracy.

Mr. BERRY. Mr. Chairman, I have asked for this time to make my position clear on Federal aid to education or its entering wedge—Federal aid to school construction. My feeling is that the United States cannot afford such a program for three principal reasons:

First. We cannot afford it from the standpoint of Federal financing.

Second. We cannot afford it on the basis of sound economic principles considering the nature of human beings.

Third. We cannot afford it from the moral point of view.

Financially—as has been said so many times on the floor of this House—the Federal Government has no money to spend except that which it takes away from its taxpayers. The tax burden today is greater than the taxpayer can bear without adding a few billion dollars to that obligation by this or any other tax-engulfing program.

In 1932 the cost of operating the Federal Government was \$5.1 billion. The current budget calls for the expenditure of nearly \$72 billion, an increase, if you please, of 700 percent.

The bonded indebtedness of the Federal Government in 1932 was approximately \$19½ billion. Today it is approximately \$274 billion, or an increase of more than 700 percent.

Can we as a Congress continue to impose greater spending, higher taxes, and higher debt upon this Nation without completely bankrupting it?

We have reached the limit of our taxing ability. There is no other source from which we can increase our tax income. People are demanding tax reduction and yet the Congress sits here day after day imposing greater spending programs upon the American people. Where is the money to come from?

Does not Congress have the obligation to the American people to stop the inflationary trend that has been created by increased spending over the past 25 years? I say, Mr. Chairman, it is time Congress started to put our house in order or we will have no house to put in order.

Economically, mankind has always been plagued with the illusion that it is possible to get something for nothing, and if Washington is permitted to dangle the bait of something for nothing before the eyes of local school boards, local school boards will be prone to take it regardless of actual need as a line of

least resistance, and in some cases, in attempting to match this free money by local levies, they will be spending more than the local communities can afford, and would not otherwise attempt to afford.

Worse than the inducement, however, of urging school districts to spend themselves into bankruptcy, free money from Washington will kill incentive, initiative and human ingenuity, and will freeze human energy, preventing man from doing for himself, at home, what he is capable of doing for himself.

Yes—Federal aid to education will in the long run be harmful to the very thing it purports to accomplish because of the very basic nature of man. American institutions, our industry, and our standard of living, are all a result of individual human energy, directed from within, toward the purpose of fulfilling individual desires or common goals.

Added together, the sum total of all this gives us our total output—our standard of living. This output is our greatest wealth.

Anything which will cause man to sit back and wait for George—or the Great White Father—to do it, kills this incentive, this desire for man to do it for himself and to improve his status and way of life.

Our attempt to make the Indian people economically secure did not help the Indian. It nearly wiped him off the face of the globe.

Building schools for any group who have the potential within themselves to do it for themselves is to treat the common man of that God-given right to learn—learn from living in a free society that he receives only according to his ability—his willingness to do, and not according to his need, as Karl Marx tried to promote in his writings—“giving according to one’s ability and receiving according to his need.”

When a person places himself in the position of determining a people’s need—or a local community’s need—this person places himself in a position of being God. Stalin did with his people. This is contrary to basic, American human values. Federal aid to education is contrary to American basic ideals regarding the worth and dignity of the individual.

It seems to me that the school people owe an obligation to themselves and to the future of America to teach these values in each of our communities for the very basis of our democracy is at stake. They, of all people, should know this best.

Communities must work out these problems for themselves. They will build schools as they really see the need for them on the local level. For Washington to build schools for communities who have the means, but who refuse to vote to supply these needs, is like Washington sending freezers to the Eskimos or shoes to the early backwoodsman.

The problem, it seems to me, is one of education, educating the citizen to see the need for good schools, to understand this need so well that it becomes the first basic value in his thinking, with the car, the TV, and so forth, taking second place.

The disturbing fact is that many communities in the more able States are now holding back bond-issue proposals for new schools, which they need and which they can afford, until they see what the outcome of this bill is in Congress. In spite of this tendency on the part of communities to hold off waiting for Uncle Sam to do it for them, the school-room shortage has been materially reduced in the last year or two.

Morally, Hitler said, “Give me the children of Germany until they are 12 years old and I care not who has them after that.” Put the education of our children under the domination of Washington and you have taken the long step toward fulfilling the prophesy of Nikita Khrushchev when he recently told the people of the United States that their grandchildren would be living under a socialistic form of government.

The Congress cannot provide funds to local communities for them to perform any local functions without the Federal Government retaining the control. The communities cannot expect money from the Federal Government to finance these local functions without expecting to give up local control.

Building classrooms for local communities will be followed by control, dictums, and curriculum directives. This, indeed, would make it possible for a future Hitler to mold the minds of our children—the future of America. This, my friends, America cannot afford.

There is too much at stake in this bill before us today, so much that we cannot and dare not attempt to afford. We cannot afford it from a standpoint of Federal financing; we cannot afford it from a basis of sound economic principles, considering the nature of human beings; and we cannot afford it from the moral point of view of the children upon whom depends the future course of this Nation.

The problem before us today is who can best do the job of educating our children and with whom is their education the safest.

Mr. CRAMER. Mr. Chairman, on the subject before the House today, Federal aid to education, I call to the attention of my colleagues an enlightening editorial indicating how far advanced is Florida in taking care of its own problem—matters not considered by the committees studying this matter.

Anyway, Florida does not want Federal paternalism—and Federal control—in its educational system.

[From the Tampa Morning Tribune of July 23, 1957]

TELL IT TO THE NATION

Suggestion to Governor Collins and the directors of the Florida Chamber of Commerce:

The bill to hand out Federal money for building public schools in the 48 States comes up in the House of Representatives this week. Chances are against its passage. But it provides a handy slingshot by which you gentlemen can knock off two birds with one stone. With the same postage stamp, you can hit a lick for State rights (and responsibilities) and also publicize Florida.

You can do this simply by mailing to every Member of the House and Senate a brochure telling how Florida is meeting its school

needs without begging help from Washington.

To our mind, it’s a pretty impressive story; one that deserves national telling.

The Florida story should command attention in Washington because this is the fastest growing of the larger States and therefore has the most acute problems in supplying adequate schools.

Let’s review what the 1957 legislature did:

1. To relieve the shortage of school buildings, it voted a biennial appropriation of \$23,065,000 to be distributed among the counties in proportion to their increased enrollment. Each county must match its share of the construction money.

2. But new schoolhouses are of little use without teachers. To help attract more young men and women to the teaching profession, and induce more of the present teachers to stay, the legislature voted \$42,454,000 for raising teacher salaries. Teachers who have satisfactorily completed 3 years of service will be paid a minimum of \$4,000 for a 10-month work year; those with 10 years continuous service in Florida will receive at least \$5,000. Supplements by some individual counties will substantially increase these salary levels.

3. Because low assessments and the constitutional limit on school mileage make it difficult for some counties to raise enough funds from local taxation, the legislature appropriated \$36 million in additional State aid to be divided among counties on a basis of teacher units. This will help both to build schools and to pay teachers.

Counting the \$12 million allocated for expanding junior colleges—operated in conjunction with the public school system—the legislature voted \$341 million for schools as compared with \$190 million for the preceding 2 years.

This represents an increase of \$151 million in State school aid, or 79 percent.

Where will the money come from? It will come from increased taxes, primarily through broadening the sales tax to cover more items.

Thus have the people of Florida accepted the responsibility to provide decent schooling for their children. Some of them grumble about the higher taxes, yes; that’s human. But most of them have the good sense to realize that unless the State lives up to its responsibility the Federal Government will take it over—and then taxes and controls will be imposed from Washington, at heavy cost in both money and independence.

If Florida, with its piper parade of new children, can handle the school problem, so can any other State. All that’s needed is a facing up to responsibility; an end to the self-delusion that money which flows from Washington comes out of somebody else’s pocket.

A State which thus assumes a painful obligation gains in self-respect and reinforces its claim to the traditional rights of self-government. The cry of “States’ rights,” heard so often these days, rings hollowly from mouths opened wide to receive Washington’s gift worms.

The Florida story makes a powerful argument against Federal paternalism and for State responsibility. And, incidentally, it makes a pretty good advertisement for Florida. It ought to be told to Congress and the Nation.

Mr. WALTER. Mr. Chairman, the Federal school aid bill has met a deserved fate, and I think it would be well to emphasize the terrible dilemma which that legislation presented for all of us who are concerned with fulfilling the Nation’s educational needs and at the same time with preserving the sound financial principles of government.

The bill, which would have provided more than a billion dollars supposedly for construction of new school facilities

was not in the form that met the above stated test. Although the proponents of the school-aid bill sought to conceal the true situation, the fact is that only 7 of all the 48 States of the country require any additional Federal funds for construction of new schools and classrooms. The other 41 already have enough money to eliminate their classroom shortages during the next 5 years—money provided previously by Congress or made available by the States themselves.

The recent Report 489 by the Committee on Education and Labor, which contains these statistics, points out that 1 group of 22 States "has only to continue building schools at the same rate they are now doing it to eliminate all known shortages, with their own money, by the time this legislation is supposed to expire." Yet in spite of this record, the report notes, the supporters of this legislation proposed to make available to those States the grand total of \$699 million.

Nineteen other States, the report said, which have "little or no need for additional classrooms, will nonetheless find themselves entitled to share in the Federal handout of well over \$1 billion in the next 5 years." To put it another way, the report continued:

These States, whose current requirements amount to slightly more than 6 percent of the shortage of 159,000 (classrooms) relied on to pass this crisis legislation, will get more than half the Federal money it provides.

Despite the fact that my own State of Pennsylvania has replaced all unsatisfactory facilities and supplied enough schools for excess enrollments it would nonetheless have had available over \$135 million.

I have been a vigorous champion of Federal aid to schools when this has been genuinely required by our social responsibilities, as is proved by my votes for assistance to impacted areas. There have been occasions when Federal aid was essential to prevent severe handicaps to education from developing in one area or another. But the legislation which was defeated last Thursday would have done nothing more than create a gigantic pork-barrel fund at the unrestricted disposal of the Health, Welfare, and Education Department which would have been able to employ it for purposes having nothing to do with aid to education.

We may expect recommendations for Federal school aid to come before us again in the future. It is my sincere hope that on this next occasion the legislation will be directed toward real need.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from New York.

The question was taken and the Chair announced that the "noes" appeared to have it.

Mr. WAINWRIGHT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WAINWRIGHT and Mr. BARDEN.

The Committee divided, and the tellers reported that there were—ayes 136, noes 105.

So the amendment was agreed to.

Mr. TEWES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TEWES: On page 31, line 19, strike out all of title I through page 46, line 11.

Mr. BARDEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARDEN. Do I correctly understand that the gentleman's amendment proposes to strike out title I in its entirety?

The CHAIRMAN. It strikes out the entire title; yes.

Mr. BARDEN. Does that strike out the amendment just adopted?

The CHAIRMAN. Yes; if adopted, it will have that effect.

Mr. UDALL. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. UDALL. Mr. Chairman, we considered earlier today two amendments, one offered by the gentleman from Kansas [Mr. SCRIVNER] and one by the gentleman from Connecticut [Mr. MAY]. The purpose of both these amendments was to strike out title I. Both amendments were considered. One was voted down and one was knocked out on a point of order. I make the point of order, Mr. Chairman, that this motion has been made and has been considered and voted down by the Committee of the Whole.

The CHAIRMAN (Mr. WALTER). The Chair calls the attention of the gentleman to the fact that the motions heretofore made were to strike and insert. This is the first time a motion has been made to strike out the entire title. Therefore, the point of order is overruled.

Mr. TEWES. Mr. Chairman, it is hardly necessary for me to say I regret the parliamentary situation has been complicated by the fact that the gentleman from New York was recognized ahead of me. However, I discussed this matter with him previously, and he was alerted to the possibility of my amendment following the adoption of his.

Mr. Chairman, the effect of my amendment can be stated in one sentence. It eliminates all direct grants from the bill and provides for Federal aid to education through the media of loans and Federal credit assistance.

It is offered as a solution to some severe problems of conscience which afflict many of us. We are Members whose instincts and experience make us extremely partisan toward education. Our records as citizens will bear out our sympathetic support of education. Even in our brief tenures we have already indicated by our votes that we, in any balancing of the equities, are frankly on the side of education.

We are deeply interested in the problem which this bill seeks to solve. We have concluded after protracted argument that there is a need. We have

come to believe that there are children in the United States unhappily deprived of facilities because of wars and depressions.

Even though some of us come from States which are in the forefront of those diligently meeting their own needs, we want to appraise this from the broad view. My own people from the State of Wisconsin rank at the very top of those who are providing needed facilities. Even the most ardent advocates of this legislation will acknowledge that Wisconsin, short 470 classrooms and presently completing more than 2,000 such rooms, is an example of a State which stands to benefit the least from this legislation. And yet we, having been sent here to take the national view, are interested in trying to do what is best for the national welfare.

Further, many of us who are on this side of the aisle are very conscious that this bill is supported by the President and our Republican administration. Many of us regard the platform pledges of our party as pledges of honor. We are not unmindful of the platform promise made last fall to support Federal aid to education based on need.

But we are troubled by this bill. We are uncertain of the mechanics of it, and we are disturbed by the philosophy of it.

And the nub of our difficulty lies in title I which provides for direct grants to the States. It is these grants and their manner of distribution which make us uneasy. First, in these grants lies the danger of Federal control. I think it unrealistic to argue that Federal grants will not soon involve Federal control. We have seen this inevitable effect in the Federal school-lunch program, and we saw it right here in the House this spring under the federally impacted area program, and we saw it on this floor a few moments ago when the Wainwright amendment was attached to this legislation.

In fact, Congressmen, in my opinion, are derelict in their responsibility whenever they legislate grants without providing some safeguards or regulations in the use of those funds.

Second, we are disturbed by these grants because they represent more of the threat against which our own subcommittee of fiscal policy has so dramatically warned us. It is these built-in grants for future years which almost assuredly guarantee an ever-growing budget and ever-increasing inflationary pressures.

And third, these grants bother us because they are not distributed solely on need. We recoil from a program which puts 85 percent of the money where it is least needed, and only 15 percent where it is needed the most. We are unable to justify a formula which gives something to everybody simply because everybody has to vote on this measure.

As I said, the heart of our trouble, then, is these grants. By striking direct grants from this bill, we are able to help meet the need without the triple danger of, one, extensive Federal control; two, built-in inflationary devices; and three, spending the taxpayers' money in a man-

ner which is based on political considerations other than need.

Mr. Chairman, for these reasons I strongly urge the adoption of my amendment.

Mr. CORBETT. Mr. Chairman, I rise in support of the amendment.

I had an identical motion at the desk, so therefore I am happy to join with my colleague from Wisconsin in this amendment. Practically the situation as it presently stands, in my estimation, is that this bill, as amended, cannot now be passed by this body. So therefore any of those Members in this Chamber who believe in helping the distressed areas to provide more equal educational opportunity for their children should support this amendment. It has the virtue of not resulting in any new spending program. There can be practically no segregation issue because any community will be able to decide whether it wants to borrow or not borrow. You will have practically no administrative problem. We will have no issue of Federal control of the educational program. This amendment which would make possible loans to areas and districts that have the initiative to mortgage their future in order that their children may have adequate educational opportunity in the shortest possible time, is certainly a proposition that should appeal to every friend of the children of the United States.

I might say after we have charged some \$275 billion of debts to future generations we ought to help create the talents among them to help pay the debts we have lodged against them.

Furthermore, I believe that individuals who have voted for rural-electricity programs, who have voted for loans all over the world, and all kinds of lending programs certainly ought to be able to see their way clear to vote for loans to distressed areas or rapidly growing areas that will give their children an equal chance in this land of equal opportunity.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. CORBETT] has expired.

Mr. GROSS. Mr. Chairman, I offer a substitute amendment which I send to the desk.

The CHAIRMAN. The Chair will state that this is not a substitute but is a perfecting amendment. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 31, strike out all of lines 19 through 25, and on page 32 strike out all of lines 1 and 2, and insert the following:

"TITLE 1—DEVELOPMENT LOAN FUND FOR SCHOOL CONSTRUCTION

"SECTION 101. (a) There is hereby established a fund to be known as the 'Development Loan Fund' (hereinafter referred to in this title as 'the fund') to be used by the President to finance activities carried out pursuant to authority contained in this title.

"(b) To carry out the purposes of this title, the President is hereby authorized to make loans, credits, or guaranties, or to engage in other financing operations or transactions, to or with such States, organizations, persons or other entities, and on such

terms and conditions as he may determine, taking into account whether financing could be obtained in whole or in part from other Free World sources on reasonable terms.

"(c) There is hereby authorized to be appropriated to the President without fiscal year limitation, for advances to the fund, not to exceed \$300 million, exclusive of financing that may be obtained from other Free World sources on reasonable terms.

"(d) For purposes of loans provided for in this section, the Secretary of the Treasury is authorized to use the proceeds of the sale of any securities issued under the Second Liberty Bond Act as now in force or as hereafter amended, and not excluding any financial assistance from Free World nations as heretofore provided.

"(e) The President shall determine the terms and conditions of any advances or loans made to the fund pursuant to this section, including the tenure of such advances or loans, whether interest, if any, be charged, and whether any payment of interest or principal shall ever be made."

Mr. McCONNELL. Mr. Chairman, I reserve a point of order against the amendment.

Mr. GROSS. Mr. Chairman, I am sure the Members, especially those who voted for the foreign hand-out bill last week, will recognize the familiarity of the language contained in this amendment.

This language was used to create the new Development Loan Fund in the foreign aid bill and I have simply applied it to this school construction bill.

Let me say to the Members of the House that I have offered this amendment in good faith only up to this point; I want to give those who voted for this new strip-tease act in the foreign aid bill—a strip-tease for the taxpayers, that is—I just want to give you another opportunity to vote. I am going to vote against this amendment that I have offered, but I want to give those of you who so enthusiastically voted for this soft loan provision last week, an opportunity to do that same thing for the schools of this country that you were willing to do for every foreigner from Iceland to Timbuctu.

Mr. Chairman, as everyone well knows, the new development loan fund for foreigners provides a \$500 million fund for loans that will be so soft that they will never be paid except perhaps in currencies that cannot be redeemed outside the country which is the beneficiary of the so-called loan. This is the worst kind of a back-door handout of the taxpayers' money; it is a subterfuge for direct grants, but if I had voted for it last week for a conglomeration of foreigners I certainly would approve it for the people of this country.

Remember, too, that the \$500 million in so-called loans will be for absolutely undetermined periods of time and at interest rates, if any, that can be fixed by the President or someone representing him.

Mr. Chairman, I yield back the balance of my time.

Mr. McCONNELL. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my delightful friend here just asked me how my Congressional Quarterly average is, and I want to discuss that for a minute because of item 95 from the Associated Press tape which came in on the wire about half an hour ago. Here is what the Associated Press item says:

There were reports today that President Eisenhower was considering sending the House a statement to clarify his view on the pending school construction bill. Sources who gave the report of that information added the final decision had not yet been reached by the White House. The reports came as the House neared a vote on the \$1½ billion bill with some Members privately predicting that the measure would be killed.

Now, I do not know how our Congressional Quarterly scores are going to be affected. To the gentleman from Wisconsin [Mr. LAIRD] I may say that this is one vote on which I am afraid I may not be able to know the President's position at all.

Mr. CORBETT. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CORBETT. I believe the pending amendment is one of the most serious amendments we will have to consider on this bill, and I think the gentleman should confine his remarks to the subject. I make the point of order that the gentleman should speak to the amendment.

The CHAIRMAN. The gentleman will proceed in order.

Mr. THOMPSON of New Jersey. The amendment pending is one which is of great seriousness to all of us. This matter is one which has been discussed in the platforms of both parties. This is a measure which some Members on the minority side say the President supports and others say he does not. Frankly, all I am trying to do is to use up to 5 minutes on this measure in the hope that during that time the President is going to make up his mind whether or not he is for this amendment or what he is for. We wonder whether or not he is even for his own, original bill.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I shall be delighted to yield.

Mr. RHODES of Arizona. I wonder if my friend from New Jersey would feel impelled to withhold voting on the bill until he heard from the President.

Mr. THOMPSON of New Jersey. Oh, no; I would like to support him some more. He is late in making up his mind.

The gentleman from Wisconsin [Mr. LAIRD] is worried about how our Congressional Quarterly score may be affected.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. HAYS of Ohio. If the gentleman from New Jersey would keep on talking

for 3 or 4 months he might get a decision.

Mr. THOMPSON of New Jersey. I do not know about that, because Mr. FOGARTY tells me that the climate of Rhode Island is magnificent any time of the year, so the President will find it most enjoyable any time.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. I appreciate the gentleman wanting to use 5 minutes, but will he be kind enough to express himself yes or no on the pending amendment, just one word?

Mr. THOMPSON of New Jersey. No. Anything I said, I take it, would be redundant.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent that all debate on title I and all amendments thereto close at quarter to 4.

Mr. MAY. Mr. Chairman, I object.

Mr. BARDEN. Mr. Chairman, I move all debate on title I and all amendments thereto close at 10 minutes to 4.

The CHAIRMAN. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. AYRES: Strike out all after the enacting clause and insert the following:

"SHORT TITLE

"SECTION 1. This act may be cited as the 'School Construction Assistance Act of 1957.'

"Findings and purpose of act

"SEC. 2. The Congress finds that despite sustained and vigorous efforts by the States and local communities, which have increased current school construction to an unprecedented level, there is still a serious national shortage of classrooms requiring emergency action on the part of the Federal Government. The limited financial resources available to a number of communities are not adequate to support construction programs of sufficient size to eliminate their classroom shortages. Other communities, in their efforts to apply their potential resources to their needs, are confronted with restrictive debt and tax limits, an inability to borrow the necessary funds at reasonable rates, and other obstacles. While the Congress recognizes that responsibility for providing adequate school facilities lies primarily with the States and local communities, the national interest requires that the Federal Government assist State and local governments in solving these pressing problems. It is the purpose of this act to provide, on a temporary basis, alternative programs for the solution of these varied problems by authorizing (1) payments to State educational agencies, for assistance on a grant basis to communities where this type of assistance can be most effectively utilized, as determined under priorities established by the State; (2) purchase of bonds issued by communities which are capable of financing their own school construction but cannot obtain such financing from other sources on reasonable terms; and (3) credit assistance to State school-financing agencies, to provide schools and related facilities in States

in which such agencies exist or may be created.

"TITLE I—PAYMENTS TO STATE EDUCATIONAL AGENCIES

"Authorization of appropriations

"SEC. 101. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1957, and the 2 succeeding fiscal years, such amounts, not to exceed \$500 million in any fiscal year, as may be necessary for making payments to State educational agencies under this title.

"Allotments to States

"SEC. 102. (a) (1) The sums appropriated pursuant to section 101 shall be allotted among the States on the basis of the income per child of school age, the school-age population, and effort for school purposes, of the respective States. Subject to the provisions of section 103, such allotments shall be made as follows: The Commissioner shall allot to each State for each fiscal year an amount which bears the same ratio to the sums appropriated pursuant to section 101 for such year as the product of—

"(A) the school-age population of the State, and

"(B) the State's allotment ratio (as determined under paragraph (2)).

bears to the sum of the corresponding products for all the States.

"(2) The 'allotment ratio' for any State shall be 1.00 less the product of (A) 0.50 and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the continental United States, except that (A) the allotment ratio shall in no case be less than 0.25 or more than 0.75, and (B) the allotment ratio for Hawaii and the District of Columbia shall be 0.50, and for Alaska, Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 0.75. The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this act on the basis of the average of the incomes per child of school age for the States and for the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for the purposes of this title.

"(3) For the purposes of this title—

"(A) The term 'child of school age' means a member of the population between the ages of 5 and 17, both inclusive.

"(B) The term 'continental United States' does not include Alaska or the District of Columbia.

"(C) The term 'income per child of school age' for any State or for the continental United States means the total personal income for the State and the continental United States, respectively, divided by the number of children of school age (in the State and continental United States, respectively).

"(d) A State's allotment under this title shall remain available for reservation of funds pursuant to section 105 (b) for projects in such State until the end of the fiscal year following the year for which the allotment is made.

"Maintenance of State and local support for school financing

"SEC. 103. (a) The allotment of any State under section 102 for any year shall be reduced by the percentage (if any) by which its State school effort index for such year is less than the national school effort index for such year. The total of such reductions shall be reallocated among the remaining States by proportionately increasing their allotments under section 102 for such year.

"(b) For purposes of subsection (a)—

"(1) the 'State school effort index' for any State for a fiscal year is the quotient obtained by dividing (A) the State's school

expenditures per public school child by (B) the income per child of school age for the State; except that the State school effort index shall be deemed to be equal to the national school effort index in the case of (i) Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia, and (ii) any State for which the school expenditures per public school child are not less than the school expenditures per public school child for the continental United States;

"(2) The 'national school effort index' for any fiscal year is the quotient obtained by dividing (A) the school expenditures per public school child for the continental United States by (B) the income per child of school age for the continental United States.

"(c) (1) The school expenditures per public school child for any State for purposes of determining its State school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the State and subdivisions thereof for elementary and secondary education made from current revenue receipts derived from State and local sources in the State, as determined by the Commissioner on the basis of data for the most recent school year for which satisfactory data for the several States are available to him, by (B) the number of children in average daily attendance in public elementary and secondary schools in such State, as determined by the Commissioner for such most recent school year.

"(2) The school expenditures per public school child for the continental United States for purposes of determining the national school effort index for any fiscal year means the quotient obtained by dividing (A) the total expenditures by the States and subdivisions thereof for elementary and secondary education made from current revenue receipts derived from State and local sources in the continental United States, as determined by the Commissioner for the same school year as is used under paragraph (1), by (B) the number of children in average daily attendance for such year in public elementary and secondary schools in the continental United States, determined as provided in paragraph (1).

"(3) The income per child of school age for the States and for the continental United States shall, for purposes of subsection (b), be determined by the Commissioner on the basis of the incomes per child of school age for the most recent year for which satisfactory data are available from the Department of Commerce.

"State plans

"SEC. 104. (a) Any State which desires to accept the benefits of this title shall submit to the Commissioner, through its State educational agency, a State plan which shall—

"(1) provide that the State educational agency shall be the sole agency for administering the plan;

"(2) set forth a program under which funds paid to the State under this title will be expended solely for school facilities construction projects approved by the State educational agency;

"(3) set forth principles for determining the priority of projects in the State for assistance under this title which will assure that first priority will be given to local educational agencies, which, upon making an effort commensurate with their economic resources, are unable, solely because of lack of such resources, to finance from the resources available to them the full cost of needed school facilities; the priority principles set forth in accordance with this paragraph shall take into account (A) the financial resources of the several local educational agencies in the State, (B) the efforts which have been and are being made to meet their

needs for school facilities out of State and local funds, and (C) the urgency of their needs for school facilities, determined according to conditions of overcrowding or lack of facilities, and the extent to which unsafe and obsolete facilities are in use;

(4) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

(5) provide an opportunity for a hearing before the State educational agency to each local educational agency within the State which applies for approval of a construction project under this title;

(6) provide for the establishment of standards on a State level for planning and constructing school facilities; and

(7) provide that the State educational agency will make such reports to the Commissioner, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his duties under this title.

In the case of any State in which a State agency has exclusive responsibility for the financing of the construction of school facilities, the Commissioner may modify or make inapplicable any of the foregoing provisions of this section to the extent he deems such action appropriate in the light of the special governmental or school organization of such State.

(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a), but shall not finally disapprove any State plan or modification thereof without first affording to the State educational agency reasonable notice and opportunity for a hearing. Hearings hereunder shall be subject to the Administrative Procedure Act.

(c) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State educational agency, finds that—

(1) the State plan approved under this section has been so changed that it no longer complies with the provisions of subsection (a), or

(2) in the administration of the plan there is a failure to comply substantially with any such provision,

he shall make no further reservations under section 105 (b) for projects in the State, and no further payments for any project directly affected by such failure, until he is satisfied that there is no longer any such failure to comply, or, if compliance is impossible, until the State repays or arranges for the repayment of Federal funds which have been diverted or improperly expended. After notice as provided in this subsection to any State, the Commissioner may suspend further reservations of funds under section 105 (b) for projects in the State, pending the making of findings under this subsection.

Payments to States

"Sec. 105. (a) Payments under this title shall be made to those State educational agencies which administer plans approved under section 104 and which furnish statements to the Commissioner in accordance with this section. Each such statement shall (1) set forth one or more projects approved by the State educational agency under the plan, (2) set forth the estimated cost of each such project, (3) set forth the amount of the Federal-State grant proposed to be made by the State educational agency with respect thereto, and (4) include a certification that State funds to cover the State share of such Federal-State grant will be available.

(b) Except as provided in section 106, the Commissioner shall issue, to each State educational agency furnishing a statement in accordance with subsection (a), a commitment reserving, out of the State's allotment, for each project included in the statement, the amount requested by the State educa-

tional agency for that project. The Commissioner shall change any amount so reserved upon request of the State educational agency and receipt of an amended statement from such agency, but only to the extent the change is not inconsistent with the other provisions of this title. The Commissioner shall pay the amount reserved to the State educational agency upon certification by the State educational agency that the financing of the remainder of the cost of construction of the project has been arranged. Funds so paid shall be used exclusively to meet the cost of constructing the project for which the amount was reserved.

(c) In lieu of certification by a State educational agency pursuant to clause (4) of subsection (a) with respect to a project, the Commissioner may accept certification by such agency that an amount equivalent to the State share of the payment with respect to such project has been arranged through provision for State payments toward the debt service on the loan (if any) to help finance part of the construction of such project, provision for waiver of payments due the State or any agency thereof with respect to such project, or other provision which, in the judgment of the Commissioner, is (or is estimated to be) equivalent to such State share.

(d) If any project for which one or more payments have been made under this section is abandoned, or is not completed within a reasonable period determined under regulations of the Commissioner, the State to which such payments were made shall repay to the United States, for deposit in the Treasury of the United States as miscellaneous receipts, the amount of such payments or such lesser amount as may be reasonable under the circumstances (as determined by agreement of the parties or by action brought in the Federal district court for the district in which such project is located.)

Matching by States

"Sec. 106. (a) The Commissioner may issue or modify a commitment under section 105 with respect to any project only if the amount to be reserved under the commitment plus any amounts paid or to be paid under other commitments previously issued under this title to the same State educational agency, does not exceed the Federal share for such State of the sum of (1) the Federal-State grant toward the cost of constructing such project and (2) the total of the Federal-State grants toward the cost of constructing the projects for which such other commitments have been issued. Until actual construction costs are available, cost determinations under this section shall be made on the basis of the estimates furnished under section 105 (a) and revised estimates furnished in compliance with section 104 (a) (7).

(b) For purposes of this title—

(1) The 'Federal share' for any State is the allotment ratio for such State, except that (A) in no case shall it be less than 0.33½ or more than 0.66½, and (B) in the case of Alaska it shall be 0.50.

(2) The 'Federal-State grant' for any project means the total of the Federal and State funds (including the equivalent thereof as provided in section 105 (c)) paid or to be paid under the State plan toward the cost of construction of such project.

(3) The 'State share' of a Federal-State grant with respect to any project is the difference between such grant and the amount paid to the State with respect to such project under this title.

(c) Notwithstanding the preceding provisions of this title, the Commissioner may, during the fiscal year ending June 30, 1958, issue or modify under section 105 a commitment of funds from a State's allotment for such year if the amounts to be reserved under the commitment, plus any amounts paid or to be paid under other commitments

previously issued under this title to the same State educational agency, does not exceed the Federal share for State of the sum of (1) the cost of constructing such project and (2) the total cost of constructing the projects for which such other commitments have been issued, and if the State educational agency certifies that the remainder of the cost of constructing the project in question will be paid from funds other than funds paid by the Commissioner under the act of September 23, 1950 (Public Law 815, 81st Cong.), as amended. The cost determinations under this paragraph shall be made on the same basis as is provided in subsection (a).

(d) In the case of any project to which subsection (c) is applicable—

(1) the amount of the Federal share and the amount of any other payments toward the cost of constructing such project shall be disregarded for purposes of determining under subsection (a) the amount of the commitment for any project which may be reserved during any fiscal year beginning after June 30, 1958:

(2) the statement required by section 105 (a) (3) shall be a statement of the amount of the reservation of funds requested with respect to such project instead of the amount of the 'Federal-State grant';

(3) instead of the certification required under section 105 (a) (4), the State shall certify that funds from State or local sources, or both, equal to the non-Federal share of the cost of construction will be available; and

(4) the requirement in section 104 (a) (3) for standards and procedures assuring highest priority to certain local educational agencies shall be deemed met if such priority is assured subject to the matching requirements of this section.

Judicial Review

"Sec. 107. (a) If any State is dissatisfied with the Commissioner's final action under this title, such State may, within 60 days after notice of such action, file in the United States district court for the district in which the capital of the State is located, a petition to review such action. The petition for review shall (1) contain a concise statement of the facts upon which the appeal is based and (2) designate that part of the Commissioner's decision sought to be reviewed.

(b) Notification of the filing of the petition for review shall be given by the clerk of the court by mailing a copy of the petition to the Commissioner.

(c) No costs or docket fees shall be charged or imposed with respect to any judicial review proceedings, or appeal therefrom, taken under this act.

(d) Upon receipt of the petition for review the Commissioner shall, within 20 days thereafter, certify and file in the court the record on review, consisting of the complete transcript of the proceedings before the Commissioner. No party to such review shall be required, by rule of court or otherwise, to print the contents of such record filed in the court.

(e) All appeals from orders of the Commissioner shall be heard anew in the district court on the record filed, unless the court, for good cause shown, and on such terms as may be just, orders that other evidence be received.

(f) The court after review may dismiss the petition or deny the relief prayed for, or may suspend, modify, or set aside, in whole or in part, the action of the Commissioner, or may compel action unlawfully withheld. The judgment of the court shall be subject to review as provided in sections 1291 and 1254 of title 28 of the United States Code.

Labor standards

"Sec. 108. (a) The Commissioner shall not make any payments under this title to assist in financing the construction of any school

facilities project, except upon adequate assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on such project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U. S. C. 276a-276a-5).

"(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a) of this section, the authority and functions set forth in Reorganization Plan No. 14 of 1950 (15 F. R. 3176; 64 Stat. 1267), and section 2 of the act of June 13, 1934, as amended (40 U. S. C. 276c).

"TITLE II—FEDERAL PURCHASE OF OBLIGATIONS OF SCHOOL DISTRICTS

"Authority to purchase; limitations

"Sec. 201. (a) In order to assist, as provided in this title, local educational agencies to finance the construction of needed school facilities, the Commissioner may purchase obligations of such local educational agencies pursuant to applications therefor filed under section 203 during the period beginning July 1, 1957, and ending June 30, 1960.

"(b) (1) There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1957, and the next 2 fiscal years, such sums, not to exceed an aggregate of \$750,000,000, as may be necessary for the purchase of obligations as authorized by this title.

"(2) The sums appropriated pursuant to paragraph (1) for any fiscal year shall be allocated by the Commissioner to the States on the basis of the school-age population. The amount allocated to each State for a fiscal year shall bear the same ratio to the sums so appropriated for such year as the school-age population of such State bears to the school-age population of all the States.

"(3) The total of the obligations of local educational agencies in a State purchased by the Commissioner pursuant to applications filed under section 203 during any fiscal year may not exceed the allocation to such State under this section for such year. The sums appropriated pursuant to paragraph (1) for any fiscal year shall, subject to the limitation in the preceding sentence, remain available for 90 days after the close of such year for purchases by the Commissioner pursuant to applications filed under section 203 during such year.

"Terms of obligations

"Sec. 202. (a) Obligations purchased under this title may be either general or special obligations of a local educational agency, shall be purchased at par or face value, shall include such provisions as may be agreed upon by the State educational agency and the Commissioner, shall be repaid within a period of 30 years or less, and shall bear interest at a rate equal to the annual rate which the Secretary of the Treasury shall specify as applicable to the calendar quarter during which the application for purchase of such obligations is filed under section 203, plus one-half of 1 percent.

"(b) The annual rate applicable to each calendar quarter shall be determined by the Secretary of the Treasury by estimating the average yield to maturity, on the basis of daily closing market bid quotations or prices during the month preceding such calendar quarter, on all outstanding marketable obligations of the United States having a maturity date of 15 or more years from the first day of such month, and by adjusting such estimated average yield to the nearest one-eighth of 1 percent.

"Conditions to purchase of obligations

"Sec. 203. Obligations of a local educational agency may be purchased under this title only upon application by the State educational agency to the Commissioner stating the amount of the obligations which the

Commissioner is being requested to purchase and certifying that—

"(a) such local educational agency is, as evidenced by a public offering of such obligations, unable to obtain the funds necessary to finance the cost of construction of the school facilities involved from other sources upon reasonable terms and at the interest rate applicable to obligations purchased under this title;

"(b) there is an opinion by a licensed attorney-at-law, a copy of which shall be submitted with the application, that such obligations have been legally authorized and are binding on such local educational agency;

"(c) the school facilities to be constructed with the proceeds from the sale of the obligations are needed for current or reasonably anticipated enrollments, are consistent with any applicable State redistricting plans or policies, and will be undertaken in compliance with applicable State laws and standards;

"(d) such local educational agency is entitled to priority over other local educational agencies in the State with pending requests for purchase of their obligations under this title (with respect to which obligations the requirements of paragraphs (a), (b), and (c) are met);

and including such additional information as may be necessary to make a reasonable showing that the local educational agency issuing the obligations is financially able to pay them as they become due. The priority under paragraph (d) of a local educational agency in any State shall be determined by the State educational agency in accordance with standards and procedures, established by the State and approved by the Commissioner, which are designed to assure reasonable opportunity for local educational agencies to request purchase of their obligations under this title and which take into account (1) relative financial resources, (2) relative urgency of need for school facilities, determined according to conditions of overcrowding or lack of facilities, or use of unhealthful or hazardous facilities, and (3) relative difficulty in marketing obligations at reasonable rates of interest. In the case of any State in which a State agency has exclusive responsibility for the financing of the construction of school facilities, the provisions of paragraph (d) shall be inapplicable.

"Disposal of payments

"Sec. 204. Payments of principal and interest by local educational agencies on obligations purchased by the Commissioner under this title and the proceeds from the sale or exchange of any such obligations shall be deposited in the Treasury of the United States as miscellaneous receipts.

"Administrative provisions

"Sec. 205. (a) The Commissioner, notwithstanding the provisions of any other law, may—

"(1) sell or exchange at public or private sale, upon such terms and at such prices as he may fix, any obligations purchased by him under this title; and

"(2) subject to the specific limitations in this title and where necessary to protect the financial interest of the United States, consent to the modification of any term of any obligation purchased or otherwise acquired by him, or any agreement entered into by him, under this title.

"(b) Financial transactions of the Commissioner pursuant to this title, and vouchers approved by the Commissioner in connection with such financial transactions, shall be final and conclusive upon all officers of the Government; except that all such transactions shall be subject to audit by the General Accounting Office at such times and in such manner as the Comptroller General may by regulation prescribe.

"TITLE III—FEDERAL CREDIT ASSISTANCE TO STATE SCHOOL-FINANCING AGENCIES

"Authorization to enter into agreements

"Sec. 301. The Commissioner is authorized, as provided in this title, to enter into agreements, on behalf of the United States, with State school-financing agencies for making advances to reserve funds established by such agencies to help assure payment of obligations issued to finance the construction of school facilities for use by local educational agencies.

"Basic conditions to entering into agreements

"Sec. 302. The Commissioner shall enter into an agreement with the State school-financing agency of any State only if—

"(a) such agency is empowered to enter into an agreement with the Commissioner under this title and otherwise comply with the provisions of this title; and

"(b) in States where the State school-financing agency is not the State educational agency, the governor of such State certifies to the Commissioner that methods for securing effective coordination between the two agencies have been provided.

"Establishment of reserve funds

"Sec. 303. (a) An agreement pursuant to this title shall provide that the State school-financing agency shall establish and thereafter maintain a basic reserve fund and a supplemental reserve fund with respect to each issue of obligations, which funds, so long as any such obligations remain outstanding, shall be held in trust for and irrevocably pledged to the payment and retirement of such obligations and for payments as provided in section 308.

"(b) Where so provided in the agreement at the request of the State school-financing agency, such basic reserve fund, or such fund and such supplemental reserve fund, may be established with respect to two or more issues of obligations; and in such case such issue shall, to the extent provided in the agreement, be regarded as a single issue of obligations.

"State advances to basic reserve fund

"Sec. 304. Such agreement shall provide for establishment of the basic reserve fund with respect to an issue of obligations on or before the date of delivery of any such obligations to the purchasers thereof, and for deposit by the State therein, upon establishment of such fund, of an amount equal to one-half of the maximum annual debt service on such obligations. The amounts so advanced, plus any amounts subsequently advanced by the State thereto, together with any interest thereon or increments thereof accrued, shall be known as the State account.

"Federal advances to basic reserve fund

"Sec. 305. (a) In the case of any State school-financing agency which has entered into an agreement as provided in this title with respect to an issue of obligations, the Commissioner shall advance to such State school-financing agency for deposit in the basic reserve fund for such issue an amount equal to one-half of the maximum annual debt service on such obligations. Such advance shall be made on or before the date of delivery of any such obligations to the purchasers thereof. The advance so made, plus subsequent advances by the Commissioner, together with interest thereon or increments thereof accrued, shall be known as the Federal account.

"(b) If any funds are withdrawn in any year (other than the year in which occurs the latest maturity date of the obligations) from the Federal account in a basic reserve fund pursuant to an agreement under this title, the Commissioner, subject to the limitations contained in section 312, shall make an additional advance to such account in an amount equal to that withdrawn.

"(c) The faith of the United States is solemnly pledged to the payment of all advances contracted to be made to the Federal account in a basic reserve fund pursuant to this title.

"(d) Advances by the Commissioner to the Federal account in a basic reserve fund, together with any other sums in such account, shall be invested, as provided in the agreement—

"(1) in interest-bearing securities of the United States or securities guaranteed as to both principal and interest by the United States; or

"(2) in bonds or other obligations which are lawful investments for fiduciary, trust, and public funds of the United States.

"Payment to supplemental reserve fund

"Sec. 306. An agreement pursuant to this title shall provide for payment into the supplemental reserve fund established with respect to an issue of obligations of all sums collected for such purpose pursuant to section 309 (d) (2).

"Use of supplemental and basic reserve funds

"Sec. 307. The agreement pursuant to this title shall provide that if, after payment of the other expenses specified in section 309 (d) (3) with respect to any school facilities, the payments for the use of such facilities and other funds available for the purpose for any year are insufficient to meet the annual debt service for such year on any issue of obligations—

"(a) the State school financing agency shall use the sums, if any, in the supplemental reserve fund established for such issue for meeting such debt service;

"(b) if such sums are insufficient for this purpose, such agency shall use the sums available in the basic reserve fund established for such issue;

"(c) withdrawals from the basic reserve fund for this purpose shall be equally divided between the State account and the Federal account in the fund, to the extent the balance in the State account is adequate therefor; and

"(d) if such balance is not adequate, the amount of any remaining deficiency shall be withdrawn from the Federal account to the extent of any balance therein, except that the total of the withdrawals from such account with respect to such debt service may not exceed one-half of such debt service.

"Repayments of advances

"Sec. 308. (a) An agreement under this title with respect to any issue of obligations shall provide that if, at the end of any year, the aggregate of the sums in the basic and supplemental reserve funds, including interest or other increments from the investment thereof, exceeds two times the maximum annual debt service on such issue for any of the ensuing years, the State school-financing agency shall pay to the Commissioner, first (and until all advances made by the Commissioner, subsequent to the original advance made by him, together with interest or other increment received from the investment of such advances, have been repaid), an amount which bears the same ratio to the amount of such excess as the sum of such subsequent advances bears to the sum of such advances plus the sum of any payments made by the State to the State account in the basic reserve fund in addition to the original amount of such State account; and second (and until all advances made by the Commissioner, together with interest or other increment received from the investment of such advances, have been repaid), an amount which bears the same ratio to the amount of such excess as the sum of all advances made by the Commissioner bears to such sum plus the sum of all payments made to the State account.

"(b) Whenever any portion of an excess is repaid to the Commissioner under subsection (a), the remainder, if any, of such

excess shall be paid to the State or left in the basic or supplemental reserve, or shall be disposed of in such other manner as may be provided, at the request of the State school-financing agency, by or pursuant to the agreement.

"(c) Amounts paid to the Commissioner under subsection (a) shall be used to redeem any outstanding obligations of the Commissioner issued pursuant to section 312 and any excess shall be deposited in the Treasury of the United States as miscellaneous receipts.

"Additional conditions of agreement

"Sec. 309. In addition to the foregoing provisions and such other provisions as may be necessary to protect the financial interest of the United States, each agreement entered into by the Commissioner with respect to any one or more issues of obligations of a State school-financing agency shall provide—

"(a) that (1) all such obligations in any issue shall mature in not more than 32 years from the earliest date of any of such obligations in such issue and the first payment of principal shall become due not later than the end of the third year following such earliest date, and (2) the proceeds of the sale of such obligations shall be used to finance the cost (including interest prior to, during, and for such period not exceeding 1 year after completion of construction as may be provided in the agreement, and other necessary carrying charges) of construction of school facilities by the State school-financing agency or the local educational agencies, for use by local educational agencies requesting such facilities;

"(b) that such school facilities shall be limited to those certified by the State educational agency to be needed for current or reasonably anticipated enrollments and to be consistent with any applicable State redistricting plans or policies, and that construction thereof will be in accord with applicable State laws and standards;

"(c) that such school facilities, upon completion of construction, shall (1) be available for use by the local educational agency for the school district in which the school facilities are located, (2) if the State so desires, be conveyed to such local educational agency upon the making of adequate provision for repayment of advances made by the Commissioner with respect to the issue of obligations and for retirement of such issue or an agreed upon portion thereof, as provided in the agreement; and

"(d) that the payments for the use of such facilities shall be fixed, charged, and collected in amounts which will in the aggregate, together with other sums available for the purpose, provide sufficient funds to pay, to the extent payment is not otherwise provided for, (1) the annual debt service on the issue of obligations, and (2) in each year until the latest maturity date of such issue of obligations, for deposit in the supplemental reserve fund, an amount equal to one-fourth of 1 percent of the original principal amount of such issue of obligations, and (3) the cost of the maintenance, repair, replacement, and insurance of such facilities, and administrative and other expenses of the State school-financing agency in connection with such facilities or the financing thereof.

"Authorization of appropriations

"Sec. 310. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1957, and the next 2 fiscal years, such sums, not to exceed an aggregate of \$150,000,000, as may be necessary to provide the initial Federal advances authorized by this title to be made to basic reserve funds.

"Period during which obligations issued

"Sec. 311. Federal advances may be made pursuant to this title only with respect to

obligations issued in the period beginning July 1, 1957, and ending June 30, 1960.

"Obligations issued by Commissioner

"Sec. 312. (a) To obtain funds for additional advances under section 305 (b), the Commissioner shall issue notes, debentures, or other obligations for purchase by the Secretary of the Treasury. The total amount of such obligations which may be outstanding at any one time shall not exceed \$10,000,000; and the total amount of such obligations issued in any year may not exceed the aggregate amount needed for such additional advances for such year.

"(b) Obligations issued by the Commissioner under this section shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Commissioner, with the approval of the Secretary of the Treasury. Such obligations shall bear interest at a rate determined by the Secretary of the Treasury after taking into consideration the current average market yields of outstanding marketable obligations of the United States having comparable maturities. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Commissioner issued under this section and for such purpose is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of the Commissioner's obligations hereunder. There are hereby authorized to be appropriated not to exceed \$10,000,000 for payments on the principal amount plus an additional amount to pay such interest as may be due, together with repayments made by State school-financing agencies hereunder, for payments on obligations issued by the Commissioner under this section.

"Administrative provisions

"Sec. 313. (a) The Commissioner, in addition to other powers conferred by this act, shall have power to agree to modification of agreements made under this title and to pay, compromise, waive, or release any right, title, claim, lien, or demand, however arising or acquired under this title; except that nothing in this subsection shall be construed to affect the power of the Attorney General in the conduct of litigation arising under this act.

"(b) Financial transactions of the Commissioner in making advances pursuant to this title, and vouchers approved by the Commissioner in connection with such financial transactions, shall be final and conclusive upon all officers of the Government; except that all such transactions shall be subject to audit by the General Accounting Office at such times and in such manner as the Comptroller General may by regulation prescribe.

"Suits against the United States

"Sec. 314. Any State school-financing agency with which the Commissioner has made an agreement under this title, or any holder of obligations with respect to which a reserve fund has been established under this title, may bring suit against the United States to enforce any duty of the Commissioner under this title or any undertaking of the Commissioner under an agreement under this title. In any action arising under this title to which the United States is a party, the district courts of the United States shall have jurisdiction, without regard to the amounts involved. Such action shall be brought in the district court of the United States for the judicial district in which the plaintiff, or any of the plaintiffs if there are more than one, resides, or has his principal place of business or, if he does not have his principal place of business within any

such judicial district, in the District Court of the United States for the District of Columbia.

"Tax exempt status of obligations"

"Sec. 315. Obligations of any State school-financing agency, including interest thereon, with respect to which advances are made pursuant to this title, and income of such agency in connection with the school facilities financed by such obligations, shall be exempt from all taxes (other than estate, inheritance, and gift taxes) now or hereafter imposed by the United States.

"TITLE IV—GENERAL PROVISIONS"

"Definitions"

"Sec. 401. For purposes of this act—

"(a) The term 'Commissioner' means the (United States) Commissioner of Education.

"(b) The term 'State' means a State, Alaska, Hawaii, Puerto Rico, Guam, or the Virgin Islands, except that for purposes of title I it also includes the District of Columbia and American Samoa.

"(c) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the governor or by State law.

"(d) The term 'State school-financing agency' means the single agency, official, governmental entity, or instrumentality of a State, designated or established by the State for purposes of title III.

"(e) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a city, county, township, school district, or political subdivision in a State; and includes any State agency which directly operates and maintains public schools. If a separate public authority, other than a State school-financing agency, has responsibility for the provision or maintenance of school facilities for any local educational agency or the financing of the construction thereof, such term includes such other authority.

"(f) The term 'school facilities,' except as otherwise provided in this paragraph, means classrooms and related facilities (including initial equipment, machinery, and utilities necessary or appropriate for school purposes), for education which is provided as elementary or secondary education, in the applicable State, at public expense and under public supervision and direction; and interests in land (including site, grading, and improvement) on which such facilities are constructed. Such term does not include athletic stadia, or other structures or facilities, intended primarily for events, such as athletic exhibitions, contests, or games, for which admission is to be charged to the general public. For purposes of title I, such term does not include interests in land, off-site improvements, or structures or facilities designed to be used exclusively for special activities, such as single-purpose auditoriums and gymnasiums.

"(g) The terms 'constructing' and 'construction' mean the preparation of drawings and specifications for school facilities; erecting, building, acquiring, altering, remodeling, improving, or extending school facilities; and the inspection and supervision of the construction of school facilities.

"(h) The term 'annual debt service' means the aggregate amount required to pay the interest on and principal of each issue of obligations becoming due in each successive 12-month period designated in accordance with the agreement under title III.

"(i) The term 'school-age population' means that part of the population which is between the ages of 5 and 17, both inclusive, and such school-age population for the several States shall be determined by the Com-

missioner on the basis of the population between such ages for the most recent year for which satisfactory data are available from the Department of Commerce.

"Utilization of other agencies"

"Sec. 402. In administering the provisions of this act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and, without regard to section 3709, as amended, of the Revised Statutes, of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon by the Secretary and the head of the agency or institution concerned.

"Appropriation for administration"

"Sec. 403. There are hereby authorized to be appropriated for each fiscal year to the Department of Health, Education, and Welfare such sums as may be necessary for administration of this act.

"Delegation of functions"

"Sec. 404. The Commissioner may delegate to any officer or employee of the Office of Education any of his functions under this act except the making of regulations.

"Assurance against Federal interference in schools"

"Sec. 405. In the administration of this act, no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the personnel, curriculum, or program of instruction of any school or school system."

Mr. MORANO (interrupting the reading of the amendment). Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MORANO. Does the reading of this amendment affect the time that has been fixed, or do we have to quit debating at 10 minutes to 4?

The CHAIRMAN. It certainly does not, because the time was fixed.

Mr. MORANO. Even though the reading of this amendment might take up to 10 minutes to 4?

The CHAIRMAN. The gentleman is correct. The time was fixed by motion.

Mr. MORANO. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

Mr. HOFFMAN. I object, Mr. Chairman.

Mr. Chairman, at the request of the leadership on this side, I ask unanimous consent to withdraw my objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. HAYS of Ohio. I object, Mr. Chairman.

Mr. RHODES of Arizona (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

Mr. HAYS of Ohio. I object, Mr. Chairman.

Mr. AYRES (interrupting the reading of the amendment). Mr. Chairman, I

ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio.

Mr. AYRES. Mr. Chairman, what this amendment does is strike out title I and insert the identical bill that the administration proposed, through Congressman McCONNELL, in the last session of Congress. This is the bill that the President was for. This is the bill that he advocated in the last session. This is the bill, in my judgment, after having talked with him at a breakfast at the White House, his heart is really in.

The principles of the bill are first, that Federal funds be distributed according to relative need.

Second, that Federal grants must not reduce incentive for State and community effort, but must stimulate such effort, thereby resulting in additional classroom construction over the 3-year period.

Third, that State governments should participate in financing school construction, thereby demonstrating reasonable State interest in the problem of education.

And fourth, and most important, Mr. Chairman, under my substitute the program would expire during President Eisenhower's term of office. It will take affirmative action by Congress in 1960 to continue the program.

The amount of money available is the same. And in view of the fact that most of the Republicans under the leadership of the gentleman from Pennsylvania [Mr. McCONNELL] supported this provision in the last session of Congress, I feel that it is more closely allied with what President Eisenhower wants.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Illinois.

Mrs. CHURCH. Does the gentleman's amendment include the Powell amendment which was just passed by the Committee of the Whole?

Mr. AYRES. This does not include the Wainwright amendment. If the gentlemen on the other side are interested in getting a piece of legislation enacted into law, I suggest that they support this amendment because I have been advised that that amendment will not be offered should my amendment be adopted.

Mrs. CHURCH. There will be no way to include the Wainwright amendment or the Powell amendment if the gentleman's amendment is approved?

Mr. AYRES. I am not the Parliamentarian, but it is my belief that that amendment will not be offered to my amendment. Mr. Chairman, I hope the amendment will prevail so that we can get a Federal school-construction bill enacted and the program under way.

The CHAIRMAN. The time of the gentleman from Ohio has expired. The Chair recognizes the gentleman from Illinois [Mr. McVEY].

Mr. McVEY. Mr. Chairman, I have repeatedly said that I am opposed to

H. R. 1 as it is written. My objection to that bill is mainly concerned with title I. I see no reason why the Federal Government should not lend money to the proper agencies for the construction of schools in this country. We lend money for about every other purpose; why should we not lend money for schools?

In connection with title I, I should like to ask some responsible Member on the committee how the \$1.5 billion is to be used in the construction of schools? Do you intend to relieve first the shortage of 159,000 classrooms?

Mr. METCALF. Mr. Chairman, I would be glad to answer the gentleman. The money will be distributed by the chief State school officer on the basis of need in that State.

Mr. McVEY. Just a moment, please. The gentleman does not need to explain that. I know how it is to be distributed. Does the gentleman know what it costs to build a classroom?

Mr. METCALF. Our experience has been, under Public Law 815, that it costs about \$30,000 for an elementary school classroom and about \$35,000 to \$37,000 for a high-school classroom.

Mr. McVEY. My experience with school construction has been that it costs far less than that.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, this is adding further to the confusion today. We heard earlier from the gentleman from Indiana [Mr. HALLECK], one of the leaders on the other side, that the President was willing to compromise. The gentleman from Indiana now says that he is willing to support the bill introduced by the gentleman from Pennsylvania [Mr. McCONNELL] last year—the Ayres amendment. We have tried in committee to compromise this matter. The bill that is before the House today contains, as I said before, 85 percent, and I daresay if you compare it line for line and item for item, 90 percent of what the President asks. If, in order to get the bipartisanship we need, we must have precisely the bill the President said he wanted last year, I am willing to go along with the gentleman from Ohio [Mr. AYRES] so that we may have a school bill. I will support the amendment of the gentleman from Ohio as I want a school bill.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. BROWNSON].

Mr. BROWNSON. Mr. Chairman, should the current Federal Assistance for School Construction Bill become law, it will be administered by the United States Office of Education.

This office has been charged with the administration of another program in this general field for several years. That program is the Federal program for assistance for school building construction in Federally affected areas.

There are obvious parallels between this program and the legislation under consideration today. Perhaps it would be profitable to look for a few minutes at the record the United States Office of Education has made in the administra-

tion of this similar activity. An investigation of this agency's operations in that field was conducted during the period April to September 1955 by the investigating staff of the House Committee on Appropriations and published only in 1956 and then in a form which escaped general public attention in Hearings before the Subcommittee of the Committee on Appropriations, House of Representatives, 84th Congress, 2d Session.

Significant among the functions investigated was the method utilized by the United States Office of Education to determine the amount of funds, called entitlements, available to school districts in the various States. The most shocking discovery made by the Appropriations Committee staff was described on page 4 of the hearings, and I quote:

Contrary to the law, entitlement rates for the States were not computed on the basis of actual construction cost of school facilities for the preceding year. Rates were established in some instances to appease the States. In particular, the southeastern States were given identical or similar rates to avoid ill feelings. In some instances, States were given a rate which was higher than the rate originally established for the State and accepted by the State. No reason was found for increasing the rates other than to show a closer relationship of rates between bordering States. A more realistic entitlement rate would have required greater local or State contribution. OE (the United States Office of Education) maintained actual cost figures on construction under this program which reflected that the States were constructing facilities at much lower cost per pupil than the entitlement rate. No revision in rates was made by OE to bring the entitlement into relationship with actual costs. However, OE has advised that if future legislation is enacted to continue the school construction program the entitlement for future years will be based on realistic costs.

As the Members are well aware, the program of Federal assistance for school construction in federally affected areas functions under authority of Public Law 815 of the 81st Congress, as amended by Public Law 246, 83rd Congress. Its purpose is to make Federal funds available for school construction to local school districts where Federal installations, such as military installations, have brought about an influx of schoolchildren into the district. Federally connected pupils are of three classes: (1) Those who live on Federal property with a parent employed there; (2) those who either live on Federal property or have a parent employed there; (3) those who are in the area because of some Federal activity.

Under the law, as amended, the amount of Federal funds to which an eligible school district was entitled was dependent upon the number of federally connected schoolchildren in the district, multiplied by specified percentages of the average per pupil costs of constructing minimum school facilities in the State in which the district was located. The specified percentages were 95 percent for children classified above under item "(1)"; 50 percent for children under item "(2)", and 45 percent for children under item "(3)."

Hence, it was the clear stipulation of the Congress that grants should be based

upon specified percentages—45, 50, and 95 percent—of actual average construction costs in each State of minimum school facilities, multiplied by the number of federally connected school pupils in each eligible district.

Under the original law, the formula was the same except for a different percentage factor in one instance and except for the fact that the concept of minimum school facilities was based upon a regulation rather than a statutory mandate. I discuss this program today to illustrate the manner in which the United States Office of Education has discharged its responsibilities in the past. Between September 1950, and April 1955, the Congress appropriated \$609 million for this program.

During the first 4 years of its existence, \$498,593,466 of Federal funds were spent or dedicated for 2,440 construction projects in 47 States and 3 Territories, providing 22,659 classrooms with a combined normal capacity for 648,104 pupils.

The following conclusions, substantiated by facts revealed by the 1955 investigation by a congressional committee staff, may be drawn with respect to the first 4 years of the administration by the United States Office of Education of the Federal school construction aid program for Federally affected areas. I submit that they do have a definite bearing on our consideration of H. R. 1, before us, today.

Federal aid entitlements for most school districts were grossly exaggerated. For example—as shown by data gathered by the Office of Education—entitlements for 1951 exceeded per pupil costs by amounts varying from \$49 excess over cost in Ohio to \$442 excess over cost in Alabama. I have asked unanimous consent to include a table detailing these excess costs at this point in the RECORD. Practically every criticism that can be made of the program stems from this demonstrated disregard for economy and congressional intent.

State	Actual per pupil cost	Rate allowed	Excess over cost
Alabama.....	\$628	\$1,070	\$442
Arizona.....	866	1,140	274
Arkansas.....	723	1,070	347
California.....	1,077	1,420	343
Florida.....	694	940	246
Georgia.....	827	1,070	243
Illinois.....	1,250	1,600	350
Indiana.....	830	1,250	420
Kansas.....	834	1,200	366
Mississippi.....	723	1,040	317
Missouri.....	818	1,080	262
New Mexico.....	750	950	200
North Carolina.....	599	1,030	431
Ohio.....	1,171	1,220	49
Oklahoma.....	757	1,010	252
South Carolina.....	694	1,070	376
Texas.....	667	1,090	423

Most of the States would have been satisfied with less Federal funds. This can be illustrated by citing several pertinent examples from the many available:

Mississippi first showed a per pupil cost of \$682, accepted an offer from the Office of Education of \$830 but later was given \$1,040 per pupil.

Georgia finally managed to show costs of \$840 per pupil—by eliminating some

of their least expensive buildings—but was allowed \$1,070.

Florida officials, after some negotiating, asked for \$840 per pupil but were given \$940.

California's rate was based entirely on the cost of high schools even though it was shown that elementary schools were being constructed for about \$568 less per pupil.

Although buildings constructed under this program for school construction in impacted areas frequently were elaborate, complete and expensive, they still were constructed for much less than the rates allowed in 1952 by the Office of Education in granting the Federal assistance.

State	Rate allowed per pupil	Actual cost per pupil
Alabama.....	\$1, 120	\$630
Arizona.....	1, 140	855
California.....	1, 360	1, 108
Colorado.....	1, 230	904
Florida.....	1, 080	715
Georgia.....	1, 120	695
Idaho.....	1, 180	882
Illinois.....	1, 500	1, 383
Indiana.....	1, 280	989
Iowa.....	1, 260	840
Maryland.....	1, 320	1, 447
Michigan.....	1, 130	1, 132
Ohio.....	1, 388	1, 438
Oklahoma.....	1, 080	767
South Carolina.....	1, 100	731
Tennessee.....	1, 120	1, 151
Texas.....	1, 137	709
Utah.....	1, 150	1, 261
Virginia.....	1, 200	1, 284
Washington.....	1, 260	1, 189

The Office of Education admitted that no uniform method was used to arrive at entitlement rates but attempted to justify its practice by saying that rates were partially assigned to avoid ill-feelings among the States and to avoid political repercussions. By 1953, Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina had identical rates per pupil. This is the record of performance of the agency to whom the proponents of this bill would trust its administration, as revealed by House committee hearings.

No serious attempt ever was made by the Office of Education to restrict school districts to the construction of minimum facilities as required by law and Office of Education regulations. An Office of Education field representative in Ohio had the following to say in a letter to his superiors in Washington. "Without going into all details these schools come as near being complete as any I have seen and more complete than any others constructed in the area. This is not unnoticed by other school people nor by the State." Subsequent to the receipt of this letter, the Office of Education approved a building which was to cost \$2,-870 per pupil.

The cost of school facilities approved by the Office of Education varied considerably, even within States. In one State, Virginia, cost per square foot varied from \$9.26 to \$19.34; the cost per pupil varied from \$527 for an elementary building to \$2,778 for a high school building, and the area per pupil from 55 square feet to 149 square feet.

School districts were enabled to stretch Federal entitlements so that the Federal funds not only would pay in full

for local school facilities but also would build classrooms with capacities greater than the number of federally connected children involved in the program. For example, Cobb County school district, in Georgia, was entitled to \$1,771,566 to meet about 60 percent of the cost of constructing schoolbuildings for 3,022 pupils. The county received slightly less than this amount but actually constructed facilities for 3,240 pupils without cost to the local school district.

Bibb County school district, in Georgia, was allowed approximately \$180,000 to construct a 5-stall schoolbus maintenance building, a bus parking shelter for 58 buses and a warehouse.

The Office of Education generally overestimated the cost of school construction, which resulted in school districts being able to construct unauthorized facilities with Federal funds. This occurred in an interesting manner which is best illustrated by detailing one example: The agency would estimate, for example, a 100,000-square-foot facility to cost \$15 per square foot, or a total cost of \$1,500,000. When the actual cost turned out to be only \$1,300,000, the local school district had \$200,000 with which to construct a gymnasium or other facility.

The Office of Education attempted to justify its lack of standards for school construction and its lack of knowledge of conditions in the various States by having State educational agencies approve building plans of its school districts. At the same time the Office of Education knew that most of the State agencies considered school construction to be a local problem and did not interfere with a school district that was trying to get the most possible from the Federal Government.

Does not the record of irresponsibility of the United States Office of Education in its administration of this small specialized Federal school construction program indicate the kind of a record that could be expected from the Office of Education in its administration of a broad general program of Federal aid for schools?

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I was happy to hear the remarks of the gentleman from Arizona that he in order to get a school bill was willing to compromise further. That is the way I felt last year when I voted for the school construction bill, because it contained many features that I did not like.

I do believe that the amendment offered by the gentleman from Wisconsin probably is the best compromise that can be worked out. I will vote, however, for the Ayres amendment in the hope that that will be adopted. I will then vote for the Tewes amendment. If neither one of those carries, I still will vote for the school construction bill because I believe we have a serious need in our country and there must be some way we have to go about meeting it.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. MAY].

Mr. MAY. Mr. Chairman, when I offered my amendment earlier I was unaware of the possibility of a point of order. That has been corrected. I should like to say to the Chairman that I feel I still have the best compromise to this school construction situation here in the House today. Depending on the results of the votes on these amendments that are pending now, I still intend to offer my solution which I believe sincerely will appeal to all sections of the United States and will help to enact this law.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. CHAMBERLAIN. Mr. Chairman, I would like to associate myself with those supporting the Tewes amendment. I am for Federal aid for education to help our school systems where the need is the greatest. I am confident that the amendment offered by the gentleman from Wisconsin [Mr. TEWES] will do just that by relying on the remaining portion of the bill authorizing the purchase by the Federal Government of the obligations of these needy school districts. I am fearful that if we do not accept this amendment we may end up without any acceptable legislation on this important issue.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. METCALF].

Mr. METCALF. Mr. Chairman, like my colleague, the gentleman from Arizona [Mr. UDALL], I feel that we need to get a school bill. I have compromised as much as 75 percent of the way, and I see no reason why I should not compromise the whole 100 percent of the way. I accept the Eisenhower bill in its entirety. I, too, support the Ayres amendment. I would be opposed to the Tewes amendment. It would knock out all the grants which most of us feel is the most important part of the bill, and it would knock out of the bill the provision for the State matching out of State funds, which is the only way to make this an emergency program and to provide that this program will ultimately come to an end and that the States will take over the burden of helping build schools for local communities that do not have the financial resources to build schools themselves. But let us build schools with Federal funds now, and let the State take over full responsibility for assistance later.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, as I understand the parliamentary situation, the Ayres amendment is before the Committee, and it eliminates the revised Powell amendment. If this amendment expresses the views of the President in order to get a school bill, I certainly feel that all the Members of the House who want a school bill now should compromise all the way with the President so that there can no longer be any further excuse, and take this amendment in order that we may accomplish something.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. DIXON. Mr. Chairman, I congratulate the gentleman on standing up for our school children first. The gentleman is taking a wonderful position.

Mr. PERKINS. I certainly hope that the gentleman on my left will deliver us some votes and pass this bill. I have always believed in a distribution of funds on the basis of need.

Mr. ELLIOTT. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. ELLIOTT. Mr. Chairman, I join with my esteemed colleague from Kentucky in the expression which he has just made, and I am happy to state that I will support the Ayres amendment, which he has discussed. The gentleman from Kentucky [Mr. PERKINS] and I have both stood four-square through the years, as we have studied this matter, for a distribution of school construction grants on the basis of need. It is my recollection that he and I have sponsored identical bills doing just what the Ayres amendment seeks to do. I recognize that our Committee on Education and Labor agreed upon title I of the committee's bill. However, that bill has now been doctored up with the Wainwright amendment, and as I have consistently stated on the floor of the House and in the committee, I cannot vote for the passage of any bill that contains the Wainwright amendment. So, I am happy to join the gentleman from Kentucky [Mr. PERKINS], and the others who have signified a like mind in the support of the Ayres amendment, which embodies the need formula which I have supported through the years. This is the formula commonly known as the Hill-Burton formula, a formula which was originally developed, legislatively, by Alabama's great senior Senator [LISTER HILL]. So, I would like to state that the Hill formula for the distribution of the grants, as contained in the Ayres amendment, will be even more helpful to Alabama than would the grants under the committee bill. There would be more money. In addition, and this is of the utmost importance so far as I am concerned, we have been assured that the gentleman from New York [Mr. WAINWRIGHT] will not offer his Wainwright or Powell-type amendment to the Ayres amendment.

Mr. PERKINS. I thank the gentleman from Alabama [Mr. ELLIOTT], who has contributed so much in committee to this legislation. He like myself has sponsored school-construction legislation, containing the original Hill formula, providing for the disbursement of funds on the basis of need.

Mr. Chairman, this amendment takes into consideration the per capita income, the number of children, and the effort. All of us agree that the principle of disbursement is good. In fact, I voted with the gentleman from Pennsylvania last year, but in order to try to find out just how we are getting along here, I would like to ask the gentleman from Penn-

sylvania [Mr. McCONNELL] is he supporting the amendment?

Mr. McCONNELL. I would be very pleased to support the amendment. I have favored this type of formula for some time. I certainly appreciate the spirit shown on the other side, that they are willing to go all this way with us.

Mr. PERKINS. I certainly hope we can forget about the so-called Powell amendment or the Wainwright amendment from here on out, and pass this bill.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from California.

Mr. ROOSEVELT. I associate myself with the gentleman's remarks. I think this is the proper way to do it. I think this is the way to get a school bill and I support him fully.

Mr. McGOVERN. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from South Dakota.

Mr. McGOVERN. I also want to associate myself with the remarks of the gentleman and support him wholeheartedly.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Chairman, I am very happy that we now find ourselves in this parliamentary situation. If we are in support of the President's program, we can support the Ayres amendment. We are now in a clean-cut parliamentary situation and those who are for school aid and the President's program can support the Ayres amendment. If they feel that bill cannot be passed or they object to it, we can revert to the Tewes amendment and vote for a loan program. It is excellent that we have reached a situation where the chips are down, and I hope that either of these two amendments prevail and become the law that we pass to the other body.

Mr. JUDD. Mr. Chairman, the Ayres substitute amendment to title I provides the real way to meet the problem of those areas in our country that have need for Federal help in constructing school facilities because: First, they have unusually large or rapidly growing school-age populations; second, they are doing the best they can with their own resources; but third, their own resources are not adequate to enable them to meet their needs.

This is the same amendment many of us voted for last year, in the Committee of the Whole and in the motion to recommit. It is the bill that the President has favored from the beginning. But it was rejected last year by those who supported the principle in the Kelley bill of giving the same amount of aid to all—whether they need it or not.

The committee bill this year goes half way—it gives half the grant aid on the equalization principle in the Ayres substitute, and half according to the principle in the Kelley bill.

But why should any Federal aid for school construction be given on the Kelley principle—the same to the richest areas as to the poorest? It is said

to be a simple way. Well, it would be simpler for a doctor to give the same prescription to every patient, no matter what his disease. But is that the right way to cure his trouble?

It would be simple to try to meet the need of hungry people by going down the street passing out \$20 bills to all persons met, no matter what the state of their finances. But would that solve the problem?

Mr. Chairman, I must oppose title I as it is in the committee bill. The more aid that goes to the districts that do not need it, the less there will be for the children in the districts that do need it. The Ayres amendment is the right way to do the job. If we adopt it now, we will have a sound school construction bill, based on the three essential factors—need, capacity, and effort. And such a bill can become law. I urge the adoption of this amendment—so that, if Federal aid is to be given, it will go to those that need it most, and not to those who need it least or do not need it at all.

Mr. SMITH of Virginia. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. SMITH of Virginia moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. SMITH of Virginia. Mr. Chairman, I make this motion seriously at this time. Frequently such a motion is offered for the purpose of obtaining time for debate. I offer it in the hope that the motion will now be adopted. We have spent a great many hours on this matter. I am quite sure from what I have heard of the debate that the Members are ready to dispose of this matter and be done with it.

I hope that now the Committee will adopt this motion and strike the enacting clause from the bill and let us be through with this rather futile debate.

I hope that the Members will dispose of this matter on this motion. The time is right for it. Let us have a vote.

Mr. UDALL. Mr. Chairman, I rise in opposition to the motion. I do not want to take the full time. The purpose of this maneuver is quite obvious. Finally, after 2 years thrashing around on this thing we have reached an agreement. We on this side have decided to go all the way with the President, cross every "t" and dot every "i" and go down the line with precisely what the President wants. We can join hands with you. We have obviously worked out a working agreement. It is feasible in this body. We can pass a school bill today. Therefore, the purpose of this motion is to derail this new coalition that we have.

I ask that the motion be defeated.

The CHAIRMAN. The question is on the motion offered by the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chairman appointed Mr. SMITH of Virginia and Mr. UDALL as tellers.

The Committee divided, and the tellers reported that there were—ayes 153, noes 126.

So the motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. WALTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 1) to authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms, had directed him to report the bill back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out.

Mr. BAILEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 208, nays 203, not voting 21, as follows:

[Roll No. 154]

YEAS—208

Abbott	Gary	Passman
Abernethy	Gathings	Patman
Adair	Gavin	Pilcher
Alexander	Gregory	Pillion
Alger	Gross	Poage
Allen, Ill.	Gwinn	Poff
Andersen,	Haley	Radwan
H. Carl	Halleck	Ray
Andresen,	Harden	Reed
August H.	Hardy	Rees, Kans.
Arends	Harris	Riley
Ashmore	Harrison, Nebr.	Rivers
Barden	Harrison, Va.	Robeson, Va.
Bass, Tenn.	Hébert	Rogers, Fla.
Bates	Hemphill	Rogers, Tex.
Baumhart	Henderson	Rutherford
Becker	Herlong	Sadlak
Beckworth	Hess	St. George
Belcher	Hiestand	Saylor
Bennett, Fla.	Hoeven	Schenck
Bentley	Hoffman	Scherer
Berry	Holt	Scott, N. C.
Betts	Hosmer	Scrivner
Blitch	Hull	Scudder
Boggs	Hyde	Selden
Bonner	Ikard	Shuford
Bosch	Jackson	Sikes
Bow	James	Simpson, Ill.
Bray	Jenkins	Simpson, Pa.
Brooks, La.	Jennings	Smith, Calif.
Brooks, Tex.	Jensen	Smith, Kans.
Brown, Ga.	Johansen	Smith, Miss.
Brown, Ohio	Jonas	Smith, Va.
Brownson	Keating	Smith, Wis.
Broyhill	Keeney	Spence
Budge	Kilburn	Springer
Burleson	Kilday	Stauffer
Byrne, Ill.	Kilgore	Taber
Cannon	Kitchin	Talle
Cederberg	Krueger	Taylor
Chief	Landrum	Teague, Calif.
Chipperfield	Lanham	Teague, Tex.
Church	LeCompte	Thomas
Clevenger	Lennon	Thompson, La.
Cole	Lipscomb	Thompson, Tex.
Collier	Long	Thomson, Wyo.
Colmer	Loser	Thornberry
Cooley	McCulloch	Tuck
Cooper	McDonough	Utt
Cramer	McGregor	Van Pelt
Cunningham,	McMillan	Vinson
Nebr.	McVey	Vorys
Dague	Mahon	Vursell
Davis, Ga.	Marshall	Wainwright
Davis, Tenn.	Mason	Walter
Dennison	Matthews	Watts
Derounian	Meader	Weaver
Devereux	Michel	Wharton
Dies	Miller, Md.	Whitener
Dooley	Miller, Nebr.	Whitten
Dorn, S. C.	Miller, N. Y.	Williams, Miss.
Dowdy	Mills	Williams, N. Y.
Durham	Minshall	Willis
Fallon	Morrison	Wilson, Calif.
Fascell	Murray	Wilson, Ind.
Feighan	Neal	Winstead
Fisher	Nicholson	Wright
Flynt	Norrell	Young
Forrester	O'Hara, Minn.	Younger
Fountain	O'Neill	
Frazier	Ostertag	

NAYS—203

Addonizio	Flood	Morano
Albert	Fogarty	Morgan
Allen, Calif.	Forand	Morris
Anderson,	Ford	Moss
Mont.	Frelinghuysen	Moulder
Andrews	Friedel	Multer
Ashley	Fulton	Mumma
Aspinall	Garmatz	Natcher
Auchincloss	Gordon	Nimtz
Ayres	Granahan	Norblad
Bailey	Grant	O'Brien, Ill.
Baker	Gray	O'Brien, N. Y.
Baldwin	Green, Oreg.	O'Hara, Ill.
Baring	Green, Pa.	Osmers
Barrett	Griffin	Patterson
Bass, N. H.	Griffiths	Pelly
Bennett, Mich.	Gubser	Perkins
Blatnik	Hagen	Pfost
Boland	Hale	Philbin
Bolling	Haskell	Polk
Bolton	Hays, Ark.	Porter
Boyle	Hays, Ohio	Price
Breeding	Healey	Prouty
Broomfield	Heselton	Rabaut
Brown, Mo.	Hill	Rains
Burdick	Hollfield	Reece, Tenn.
Byrd	Holland	Reuss
Byrne, Pa.	Holmes	Rhodes, Ariz.
Byrnes, Wis.	Horan	Rhodes, Pa.
Canfield	Huddleston	Riehlman
Carnahan	Jarman	Roberts
Carrigg	Johnson	Robson, Ky
Celler	Jones, Ala.	Rodino
Chamberlain	Jones, Mo.	Rogers, Colo.
Chenoweth	Judd	Rogers, Mass.
Christopher	Karsten	Rooney
Chudoff	Kean	Roosevelt
Clark	Kearns	Santangelo
Coad	Kee	Saund
Coffin	Kelley, Pa.	Schwengel
Corbett	Kelly, N. Y.	Scott, Pa.
Coudert	Keogh	Seely-Brown
Cretella	King	Sheehan
Cunningham,	Kirwan	Shelley
Iowa	Knutson	Sheppard
Curtin	Laird	Sieminski
Curtis, Mass.	Lane	Siler
Curtis, Mo.	Lankford	Sisk
Dawson, Ill.	Latham	Staggers
Dawson, Utah	Lesinski	Steed
Delaney	McCarthy	Sullivan
Dellay	McConnell	Tewes
Dempsey	McCormack	Thompson, N. J.
Denton	McFall	Tollefson
Diggs	McGovern	Trimble
Dingell	McIntosh	Udall
Dixon	Macdonald	Ullman
Dollinger	Machrowicz	Vanik
Donohue	Mack, Ill.	Van Zandt
Dorn, N. Y.	Mack, Wash.	Westland
Doyle	Madden	Wier
Dwyer	Magnuson	Wigglesworth
Eberharter	Martin	Withrow
Edmondson	May	Wolverton
Elliott	Merrow	Yates
Engle	Metcalf	Zablocki
Farbstein	Miller, Calif.	Zelenko
Fenton	Montoya	
Fino	Moore	

NOT VOTING—21

Anfuso	George	McIntire
Avery	Harvey	Mailliard
Beamer	Hillings	O'Konski
Boykin	Holtzman	Powell
Buckley	Kearney	Preston
Bush	Kluczynski	Teller
Evins	Knox	Widnall

So the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Preston for, with Mr. Buckley against.
 Mr. Evins for, with Mr. Holtzman against.
 Mr. Kearney for, with Mr. Anfuso against.
 Mr. Hillings for, with Mr. Widnall against.
 Mr. Beamer for, with Mr. Mailliard against.
 Mr. McIntire for, with Mr. O'Konski against.
 Mr. Harvey for, with Mr. Kluczynski against.
 Mr. Avery for, with Mr. Powell against.

Until further notice:

Mr. Boykin with Mr. Knox.
 Mr. Teller with Mr. Bush.

Mr. REES of Kansas changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

THREE HUNDRED AND FIFTIETH ANNIVERSARY OF THE FOUNDING OF JAMESTOWN, VA.

The SPEAKER. Pursuant to the provisions of Senate Concurrent Resolution 27, 85th Congress, the Chair appoints as Members of the joint committee to represent the Congress at the 350th anniversary of the founding of Jamestown, Va., the following Members on the part of the House: Mr. MILLER of California, Mr. ROBESON of Virginia, Mr. KILGORE, Mr. POFF, and Mr. MOORE.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to secure the program for next week.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. May I say before answering the question directly that we have some time left and there is a bill that will not take long, which will be called up.

Mr. MARTIN. There will be no session tomorrow?

Mr. McCORMACK. No. Next week Monday to Saturday is as follows:

H. R. 3233, to amend section 22 of the Interstate Commerce Act.

H. R. 3753, agriculture, homesteaders and desertland entrymen.

House Resolution 316, investigations, Interstate and Foreign Commerce Committee. That is to give them authorization to go outside of continental United States.

S. 1856, the Airways Modernization Act of 1957.

H. R. 2147, Federal reclamation project, San Angelo, Tex.

H. R. 8643, authorization for improvements of Niagara River project. The gentleman from New York [Mr. Buckley] specifically asked me to program this bill for next week.

H. R. 6763, the Potomac River tunnel bill.

H. R. 8456, agriculture, wheat for on-farm consumption.

H. R. 7244, meat-production program relative to agriculture.

The usual reservations that any further program will be announced later and that conference reports may be called up at any time.

Mr. MARTIN. Is it proposed to call them up in the order in which the gentleman has enumerated them?

Mr. McCORMACK. It is the intention to adhere to that program quite strictly.

Mr. MARTIN. Monday is not suspension day?

Mr. McCORMACK. No. However, Tuesday is Private Calendar day. There was a special order obtained for consideration of the Private Calendar on next Tuesday.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next week be dispensed with.

The SPEAKER. Is there objection? There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection? There was no objection.

GENERAL LEAVE TO EXTEND

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that the membership may have 5 legislative days in which to revise and extend their remarks on the bill H. R. 1.

The SPEAKER. Is there objection? There was no objection.

THE WAINWRIGHT AMENDMENT

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the sudden and abrupt end of further consideration of the school-construction bill, H. R. 1, prevented me from fulfilling my announced purpose of more fully explaining my reasons for opposing the so-called Wainwright amendment. The result of the vote clearly illustrates what I previously felt and what we all now know. The needs of schoolchildren have been trampled upon by inept leadership by the President and outright opposition by a vast majority of the Republicans recorded. The vote on the Democratic side is a striking contrast. Obviously, the strategy of attempting to put a civil-rights issue in this bill was spearheaded by avowed opponents of school aid. Last year the gentleman from New York [Mr. POWELL] was at least in support of the bill. This year no effort was made to even follow his amendment. Last year I had not fully reviewed the alternatives available to Members interested in civil-rights legislation. Certainly I had not fully realized the diabolical manner in which reactionary opponents of liberal measures would use it to defeat such measures. There are these courses open to those of us who believe so strongly in civil rights: First, restrict our efforts to outright civil-rights legislation; second, work for civil-rights legislation directly and indirectly by riders attached to other pertinent legislation such as school bills, housing bills, and so forth; and third, use a combination of the first two courses and apply it only to a selected few of the non-civil-rights bills. Under a normal situation, the last two courses do not appeal to me as being sound legislative practice, for they inevitably must detract from the

basic purpose of bills such as housing, school aid, and so forth. It is primarily for this reason and in this spirit that I decided this year to try to test the sincerity of those who give lip service to civil-rights measures and then use it to completely destroy all progress. At this point I should acknowledge the courage and forthrightness of certain Members who, while they opposed the Wainwright amendment, had the courage to vote for the bill itself by refusing to vote to kill the bill. On the other hand, the Republican leadership and the results of today's vote have given many of us much to think about in the days to come and especially on the problems within our own party. In the immediate future I shall watch the development of certain events in the other body with great interest, for certainly having tried to adopt a middle course in all sincerity and having seen it so utterly ineffective, it may well be time to consider an all-out effort for civil rights by every attainable legislative means.

IMPROVEMENT OF FEED GRAIN PROGRAM

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGOVERN. Mr. Speaker, about 10 days ago Agriculture Secretary Benson set forth in a report to the Senate methods that he believed would improve the feed grain program.

Every farmer in America can tell you that the feed grain program needs a great deal of improvement—along with the remainder of the farm programs. But it is obvious from the United Press news story of July 22, which I wish to have reproduced in the RECORD at this point and from the Secretary's recommendations as well, that Mr. Benson's concept of the word "improvement" is somewhat unusual to say the least.

The United Press news story is as follows:

The Eisenhower administration apparently has junked parity as a yardstick for measuring the well-being of farmers.

Administration farm planners believe parity, long used to compare farm income with the earnings of other groups, does not give an accurate picture of the farmer's financial status.

Parity prices are calculated to show how much farmers should be paid for their products to assure them the same income they had during a theoretically normal period in the past.

But Agriculture Secretary Benson indicated in a statement in his grain policy report to the Senate last week that he and his aides put little faith in the parity formula.

The report said incomes of grain growers and livestock feeders should be kept, "if possible," on a par with incomes of others who invest the same amount of capital, labor, and management skill.

But "no single satisfactory statistical measurement of such a level has been developed," the report added.

Instead of setting a formal goal for farm price levels, the report indicates the administration would leave it up to farmers to

decide whether their incomes are satisfactory or not—and whether farm income prospects are attractive enough to keep them farming.

"Farmers themselves are in a good position to make this measurement (a comparison with other economic groups) individually, for their own special circumstances, and to make decisions in accordance with their own judgments," the report said.

By his own admission in the report itself, the Secretary said that "with more moderate price supports, prices of feed grain and incomes to some commercial feed grain producers would be some lower" and further that "livestock production would likely be increased in the immediate future, and there would be the possibility that slightly lower livestock prices might result."

One can only conclude that further deterioration of the farm economy and increased hardship among farm families represents improvement to the Agriculture Secretary.

It is impossible to read the news account that I referred to a moment ago, without being sharply reminded of the similarity between Secretary Benson and former President Calvin Coolidge.

It was President Coolidge who first opined that farmers have never made money and that it would be futile to expend Government energies in an effort to bring economic justice to farm families. Coolidge acidly rejected the McNary-Haugen bill and all legislation which would have dealt effectively with that chronic problem of agriculture—low prices. And thereby he contributed greatly to the great depression that culminated a few years after he left office. We have almost a replay of that same tragic situation today.

It has taken the Eisenhower administration less than 5 years to make a 180-degree political switch, that began with the golden promise of full parity to farmers, on that autumn day in Brookings, S. Dak., during the presidential campaign of 1952. Now the chief agricultural spokesman of the man who made that promise, not only proposes to drop the supports which once brought prosperity to American farms, but he seeks to junk the parity formula principle itself, which his party so earnestly embraced on the campaign trails of rural America.

He says parity is obsolete. And what does he offer in return? The simple adage that when you go broke, then you ought to get out of farming. What a sad reminder of the days when farmers enjoyed the friendship and sympathy of an executive branch of government, along with the rest of America.

Mr. Benson's logic would have the carpenter throw away his rule and square and construct his buildings on guesswork. It would have the banker loan his money in the hope that the borrower would pay him some interest along with the principal. The merchant would lay his wares on the counter and thankfully accept any price offered to him by the buyer.

Can anyone conceive of any businessman adopting such a ridiculous practice? Of course not. But this is exactly what Benson is proposing for the farmers of America.

The Secretary alludes, if unconvincingly, to the fact that incomes of grain growers and livestock feeders should be kept, if possible, on a par with others who invest the same amount of capital, labor and management know-how.

I fear however, that the Secretary's measurement of equality is that which is mirrored in the hourly return operators

of our commercial family-operated farms received in 1955, as outlined in the most recent bulletin by the Department of Agriculture on this matter, entitled "Farm Cost and Returns, 1955." It is Agricultural Information Bulletin No. 15B, and I wish to insert in the record the table from page 28 of this report.

Mr. Speaker, the farmers of America have been deprived of \$4½ billion in net income since 1952. Is it not time we returned prosperity to the farms and Main Street of rural America by establishing a farm program that will give them a fair return for their work and investment?

TABLE 2.—Net farm income and return per hour to operator and family labor, commercial family-operated farms, by type, 1955 with comparisons

Type of farm and location	Net farm income					Return per hour to operator and family labor ¹						
	Average		1952	1953	1954	1955 ²	Average		1952	1953	1954	1955 ²
	1937-41	1947-49					1937-41	1947-49				
Dairy farms:												
Central Northeast.....	\$960	\$3,892	\$3,956	\$3,493	\$3,735	\$4,433	\$0.13	\$0.69	\$0.66	\$0.54	\$0.63	\$0.81
Eastern Wisconsin.....	1,469	4,365	4,585	3,760	3,219	2,839	.18	.68	.68	.50	.38	.30
Western Wisconsin.....	1,236	3,284	3,825	3,159	2,382	2,404	.18	.56	.66	.53	.33	.35
Corn Belt farms:												
Hog-dairy.....	1,512	5,639	6,211	6,027	6,379	4,189	.22	1.12	1.11	1.04	1.13	.52
Hog-beef raising.....	928	3,370	4,457	3,357	2,945	2,986	.15	.74	.84	.49	.40	.37
Hog-beef fattening.....	2,520	10,665	8,787	7,055	8,833	3,862	.46	2.28	1.56	1.09	1.76	.24
Cash grain.....	2,627	8,930	9,248	7,471	8,393	6,367	.41	2.08	1.81	1.18	1.56	.74
Tobacco farms:												
Tobacco-livestock (Kentucky).....	1,192	3,334	3,976	3,457	3,439	2,850	.25	.86	.93	.79	.78	.60
Tobacco-cotton (North Carolina).....	(³)	3,208	3,238	3,240	2,927	3,289	(³)	.75	.65	.68	.58	.73
Tobacco farm (small).....	(³)	2,354	2,391	2,611	2,380	2,706	(³)	.58	.52	.62	.54	.65
Tobacco-cotton farms (large).....	(³)	3,923	3,968	4,042	3,326	4,037	(³)	.75	.57	.61	.39	.65
Cotton farms:												
Southern Piedmont.....	495	1,565	2,129	1,918	1,438	2,240	.09	.34	.47	.37	.22	.51
Black Prairie, Tex.....	1,019	3,090	3,017	3,695	1,894	2,972	.20	.82	.64	.89	.21	.30
High Plains, Tex. (nonirrigated).....	1,675	6,411	2,188	-640	4,206	2,714	.47	2.50	-.21	-1.38	1.10	.39
High Plains, Tex. (irrigated).....	(³)	10,761	12,383	8,448	13,205	8,592	(³)	3.76	3.71	1.92	3.80	1.77
Delta:												
Small.....	(³)	1,923	1,963	2,073	1,581	2,070	(³)	.58	.56	.58	.41	.54
Large scale.....	(³)	20,465	24,948	24,668	16,943	24,353	(³)					
Spring wheat farms (Northern Plains):												
Wheat small grain livestock.....	872	6,323	3,702	4,075	2,263	5,800	.13	2.07	.51	.68	.01	1.36
Wheat corn livestock.....	1,127	5,972	2,782	4,302	3,429	2,318	.18	1.40	.11	.61	.36	.03
Wheat roughage livestock.....	533	5,370	2,355	4,755	2,894	4,119	.06	1.49	.06	.84	.27	.63
Winter wheat farms:												
Southern Plains.....	1,174	10,017	14,502	4,961	7,330	5,112	.13	3.20	4.10	.57	1.74	.67
Wheat-pea (Washington and Idaho).....	2,764	11,864	14,210	14,705	16,515	10,412	.49	3.44	3.71	3.69	4.27	1.37
Sheep ranches:												
Northern Plains.....	2,734	6,908	5,890	5,287	4,299	4,186	.34	.79	-.03	.11	-.03	-.06
Southwest.....	(³)	5,224	1,292	772	955	3,303	(³)	-.31	-3.43	-3.51	-3.09	-2.30
Cattle ranches:												
Northern Plains.....	980	6,466	5,942	4,216	3,625	2,544	-.04	.96	.35	.02	-.03	-.37
Intermountain region.....	2,892	8,665	10,984	5,324	4,481	4,518	.29	1.37	1.61	.39	.34	.32
Southwest.....	(³)	5,698	1,134	-490	323	3,121	(³)	.31	-2.84	-3.43	-2.59	-1.52

¹ Net farm income less a charge for the use of capital, divided by hours of operator and family labor.

² Preliminary.

³ Not available.

⁴ Not applicable.

CENSORSHIP BY BROADCASTING COMPANIES

Mr. CHELF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. Mr. Speaker, it has just come to my attention that the songs written by that great and outstanding composer, Stephen Collins Foster, most especially Swanee River, My Old Kentucky Home, and Ole Black Joe, three magnificent, beautiful, sweet, and lovely old songs, have been censored, and if not rewritten, they are to be banned from the air by the three big networks: ABC, NBC, and CBS. Mr. Foster L. Barnes, superintendent of Florida's Stephen Foster Memorial, states "We have checked with the network officials and have found that reference to 'darkies,' 'massa,' 'mammy,' 'colored man,' and 'Ole Black Joe' are now taboo."

Mr. Speaker, just 28 miles from my hometown of Lebanon, Ky., there is located on Federal Hill in famous Bards-

town, Nelson County, Ky., My Old Kentucky Home. This spacious, beautiful, colorful, impressive building was constructed in 1795 by Judge John Rowen. It was here in the year of 1852 that Stephen Collins Foster, of Pittsburgh, Pa., a relative and a guest of Judge Rowen, while visiting there became so inspired with the folklore, tradition, the customs, the hospitality, gracious living, the loveliness, and beauty of the surrounding country, the native Kentuckians and the happy, friendly, carefree, God-fearing, God-loving, industrious colored folks that he was inspired to pen the immortal lines of My Old Kentucky Home. He was so enthralled and enchanted by this picturesque country that from his point of vantage on this high hill, overlooking the good Lord's own great beauty, he feasted his eyes on the matchless scenic wonder of the gentle rolling hills, the lazy, easy flowing brooks of clear, fresh, sparkling water and the magnificent, colorful meadows lying like gigantic, velvet carpets below in the rich, fertile valleys. His artistic soul saw fields of famous bluegrass and acres of rich silky tobacco, tall green corn, and ripe golden wheat, bounded by old stone fences built by hand labor almost 60

years prior to his visit. The deep brown of the aging stone fence was to his sensitive and delicate soul a proper setting for the fusion of flowers which tenderly hugged it.

Mr. Speaker, I am sure that while Stephen Collins Foster was a guest of Judge Rowen, there in old Bardstown, Ky., that he traveled on over to Hodgenville, the birthplace of Abraham Lincoln and then on down to Fairview, the birthplace of Jefferson Davis. At that particular time, I am certain, that it did not occur to Foster that these two distinguished sons of Kentucky later were to be privileged to serve simultaneously as President of the United States and as President of the Southern Confederacy between the years of 1861 and 1865. And in Foster's quest for more background in order to get the complete local setting for his composition of these now famous folksongs known and loved the world over, I am reasonably sure that he must have ridden a fine Kentucky saddle horse down to Mammoth Cave, the place that Irvin S. Cobb said was "An open mouth to proclaim the glories of Kentucky, and an open door to her hospitality."

Mr. Speaker, I am sure also that while Stephen Collins Foster was on his sojourn in Kentucky, that his mind must have gone back to the days when Daniel Boone and other early scouts and Indian fighters blazed the trail into Kentucky in the year 1775. In his mind's eye he must have envisioned these intrepid pioneers coming through Cumberland Gap armed only with the Virginia statute book, the Holy Bible and a squirrel rifle. I feel sure he saw in his daydreaming the sturdy and stoic pioneer people of Kentucky, such as Jane Todd Crawford, who after having completed a 60-mile horseback ride, arrived in Danville, Ky., and there without anesthetic, which was unknown at the time, subjected herself to a very dangerous operation, which was performed by that famous Kentucky doctor, Ephram McDowell, which absolutely revolutionized the medical profession.

Stephen Collins Foster, the only composer in American history ever to be elected to the Hall of Fame, in an effort to capture, to protect, and to forever preserve for posterity, penned the immortal lines of these beautiful, magnificent, old folksongs. By doing so he contributed greatly to our American heritage. Through this medium he unwittingly became the moving force, not only of Kentuckians everywhere, but all Americans on foreign soil, wherever they may be found. My Old Kentucky Home is their home, no matter where they may reside. It is a symbol of our American way of life.

Mr. Speaker, for over 100 years now people all over the world have loved, respected, and enjoyed Foster's delightful melodies. And at no time has anybody ever dared to say that he intended these songs to be a detriment, a reflection, an affront, a vilification, or an abuse to the colored race or to any other race. Why, he meant to honor our colored folks and he did so sincerely and conscientiously with all of the artistic ability at his command. If we follow the same logic and reasoning of the networks in banning Swanee River and My Old Kentucky Home from the air, then we may have to change the name of The White House because this might conceivably be classified as discrimination.

It would appear that there is more to this ban than meets the eye. Who is behind this decree—this pious decision? Might it not be an insult to our fine American Indians if that old ballad known as Red Wing were sung over the air waves? It makes just about as much sense, banning My Old Kentucky Home and Swanee River as it would be to ban that beautiful old song Mother Machree on the basis that it might be insulting to our fine Irish people. According to the networks philosophy and their line of reasoning, Chinatown, My Chinatown ought to be banned because it might offend the many fine Chinese people residing in the United States. On the same theory Silver Threads Among the Gold ought to go for fear it might be an affront to the elderly people of this great country. Why, Mr. Speaker to say that My Old Kentucky Home and Swanee River either or both of them were written by a prejudiced, narrow mind, cal-

culated to harm, to hurt, or to embarrass any of our people would be like saying that Kentucky had no blue grass or thoroughbreds; that Boston had no Paul Revere or Old North Church; that a ball game had no umpire and no "rhubarb"; that a hot dog had no mustard or a bun; or that the American flag had no stars and stripes, or any red, white, and blue.

Whenever any group of people in this Nation or any other nation for that matter, take it upon themselves to set up rules and regulations by and through which they can arbitrarily control what songs shall or shall not be heard—and get away with it—then they can censor speech, censor religion, censor or even control the press. Hitler got his start doing things this way—now Russia does it via a 1957 version because the Kremlin controls all media of communication.

I simply cannot believe that any organization in America that is basically and fundamentally pro-American or real American would ever have the temerity or the intestinal fortitude to either request or insist that any broadcasting agency refrain from broadcasting songs that are basically and fundamentally a part of America. Those who would seek to destroy America from within would want to prevent the enjoyment of these beautiful, melodious, gentle folksongs by all our people. To tell you the truth, these three networks must scare mighty easily. I will bet that if the truth were known they have on file about as much evidence, with about as much weight to it, as the glue on a fresh licked second-hand postage stamp. For anybody to say that the words of that beautiful old folksong Swanee River, and the gentle, kind, sympathetic, heartwarming, refreshing, dedicated words, penned by Foster, to that melodious tune, known as My Old Kentucky Home—the State song of my beloved Kentucky—are detrimental or harmful to the colored race or to any race, contains about as much fact and truth as the gold fillings that are to be found in the teeth of a dead dickey-bird.

Mr. Speaker, I hope that in the final analysis this prohibition against the broadcasting of these two splendid old songs and others, will soon fade like the dye in grandpa's beard—or go out like Lottie on an Easter Sunday strut.

For the past 83 years now, there has been a race of thoroughbreds of this great Nation, held on the first Saturday of each May in Louisville, Ky., at its famous Churchill Downs. This little race is known throughout the world as the Kentucky Derby. While it is true that there are seldom more than 100,000 people present, nevertheless the crowd on this festive and memorable day, comes from the 48 States and many foreign countries. During the past 83 years just prior to the running of the Kentucky Derby the band has always played Kentucky's national anthem, My Old Kentucky Home. It is a magnificent sight, a thrill, an adventure. While laughter and gaiety is the general order of the day, suddenly at 5:15 p. m. a hush comes over the multitude—as they stand with bowed heads amidst the profusion of

May roses, there is an exciting expectancy charged like electricity in the atmosphere. The air is filled with the scent of sweet honeysuckle; your spine tingles, your muscles tighten, your throat goes dry, your eyes get misty, your lips taut, and while you desperately try to swallow that red hot lump that seems to be everlastingly bouncing around in your throat—the soft, melodious strains of My Old Kentucky Home float through the air and rise to the wide blue yonder. Can you imagine my colleagues that as we stand there at the derby with heads bowed, awaiting the strains of My Old Kentucky Home to be played by our band—suddenly the network managers call for a revision—a rewrite job, if you please, and instead of My Old Kentucky Home—we hear a hurried substitution of Who Threw the Overalls in Mrs. Murphy's Chowder?

My Old Kentucky Home is more than just a song, a tune; it is a ritual; it is an integral part of America; it is part of her background, her folklore, her culture, her customs, her foundation, her every being, but yet these uninformed New York officials say it has to be rewritten. If we are going to change every song that has something in it that somebody does not like, there are not enough rewrite men in America to even get the project started.

We can worry all we want about destruction from without; but, if we stand by idly and permit any man or set of men to take it upon themselves to actually enact rules and regulations and then to enforce them as the law of the land, I say to you quite frankly that we had better begin to worry about destruction from within. This whole thing smacks of a lot of "foo-foo dust," a lot of nitnally. Boiled down in common parlance of the day, this means a lack of appreciation and an understanding of the finer things in life.

Mr. Speaker, I want to wholeheartedly endorse the resolution introduced by my colleague the gentleman from Kentucky, the Honorable JOHN WATTS, of the Sixth Congressional District, which would request that the present Committee on Interstate and Foreign Commerce investigate those that have set themselves up as a national board of censors to regulate the morals, the thinking, the behavior, and the code of ethics of the great American people. Fact is, I am introducing a similar resolution today.

We Kentuckians deeply resent the fact that our State song and the State song of the great State of Florida have been practically banned from the air. While we are technically and geographically south of the Mason-Dixon line, which is often referred to in a joking manner by Kentuckians, as the Smith & Wesson line, we are basically a border State. Yet, as a border State, Kentucky has the fine qualities of both the North and the South. Actually she has the dignity of the North, the righteousness of the East, the friendliness of the West, and the hospitality of the South. North, east, west, and south—put the first letters of each together and you have "news"; so, no matter in what section of this Nation or in the world for

that matter you may live, Kentucky is always rich in kindness, heritage, tradition, hospitality, history, folklore, gracious living, country ham, beaten biscuits, mint juleps, beautiful women, fast horses—and she is always news. Why should not she be—because in those famous lines of Foster's lyrics, the ones that are now objectionable:

The sun shines bright in the old Kentucky home,
 'Tis summer, the darkies are gay,
 The corn top's ripe and the meadows in the bloom,
 While the birds make music all the day.
 The young folks roll on the little cabin floor,
 All merry, all happy and bright.
 By'n by hard times comes a knocking at the door,
 Then my old Kentucky Home, goodnight.
 Weep no more, my lady,
 O weep no more today,
 We will sing one song for the old Kentucky home,
 For the old Kentucky home far away.

FEDERAL AID FOR SCHOOL CONSTRUCTION

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MAY. Mr. Speaker, it is a source of great disappointment to me that my amendment was ruled out of order on a slight technicality in the wording. This amendment took 3 months to prepare, and, according to the legal counsels, was correct when submitted.

I wish to state that, in order to comply with the technicality, the objectionable part has been corrected to provide for the authorization of the funds to be paid with the approval of the Appropriations Committee. I shall resubmit the amendment in the form of a bill.

It is my sincere belief that I have provided the best means of solving the school-construction problem without according the Federal Government control over the local schools, which, I feel, is the real heart of the conflict concerning any Federal aid to school-construction program.

This amendment, from all my conversations on the floor, had considerable support from all sections of the United States. Had it been allowed to be debated, I feel sure that numbers of my colleagues would have risen in its support. It is obvious from their comments to me that this measure provided a solution to the controversy in question.

Therefore, I feel that the principle has been established by my amendment, and substantiating this feeling are the remarks which I made on the floor today, which are presented earlier in the body of the RECORD.

INTERNATIONAL CONTROL OF GUIDED MISSILES

Mr. WILSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILSON of California. Mr. Speaker, press reports yesterday from the European disarmament conference quote our representative, Harold Stassen, as preparing to submit an American plan for international control of guided missiles.

This report, if true, is of enormous significance in view of the current black-out of information on the comparative strengths of the United States and Russia in the missile race.

This Nation made a tragically slow start in this field, following World War II, but the Eisenhower administration gave missile development and production the highest priority. The billions of dollars being spent for missile development and production today are testimony to the importance this administration places on maintaining missile supremacy.

Yet few people today, outside of the President, and top Defense Department and National Security Council representatives, know our comparative strength in the missile field. No one in authority will tell the public.

We are being confused daily by supposedly accurate statements which, depending on whose crystal ball is being used, rate us from a position a year behind Russia; neck-and-neck with Russia; or years ahead of Russia in the intercontinental ballistic missile field.

For example, in the past few weeks we have seen a reliable columnist in the New York Times report that the Soviet Union is substantially behind the United States in the development of the intercontinental and intermediate-range ballistic missiles. In the New York Herald Tribune a few days later, another well-known columnist said that the best expert opinion is that the Russians are about a year ahead. In the other body on May 27, a distinguished Senator stated that he thought we were neck and neck with the Soviets.

Seeking to clarify this point, which is of major concern to many of us on the Armed Services Committee, I asked the Defense Department to state in writing what our comparative position was. The Defense Department refused on the grounds that it was top secret and that such information would be entirely classified.

I might say in passing, in response to another question on the same subject, the Defense Department declared there were no sharp cutbacks contemplated in procurement or expenditure for missiles. They denied also that an arbitrary percentage ceiling had been set for missile expenditures.

Mr. Speaker, I feel the American people deserve to know our relative position with the Soviet Union in this matter of grave importance to every citizen. We are told how we stand comparatively in numbers of aircraft and submarines; also in fighting forces; atomic warfare; nuclear development; and nearly every other phase of the defense picture. Yet

we are kept in the dark as to where we stand with Russia in the missile field.

An enormous share of our military budget goes into missile development and production. We live under the threat of total destruction by the enemies' use of such weapons. I firmly believe that the people of our country should be told, at least in general terms, about our missile strength. The American taxpayers foot the bill for these weapons—they deserve to know whether the expenditures place us in a position of strength or weakness. And even more importantly, the American people deserve to have these facts in hand before our international negotiators start bargaining away the fruits of our years of scientific missile development.

ADDITIONAL FACILITIES FOR ADMINISTRATION AND TRAINING OF UNITS OF THE RESERVE COMPONENTS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 321 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7697) to provide additional facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the amendment recommended by the Committee on Armed Services now printed in the bill. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, this resolution makes in order the consideration of the bill (H. R. 7697) which was unanimously reported favorably from the Committee on Armed Services. This bill provides for an authorization of eighty-some-million dollars for the further construction of armories for the use of the Reserve components of the Armed Forces. So far as I know, there is no objection to the bill, and I have no requests for time on the rule.

Mr. Speaker, I yield 30 minutes to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT of Pennsylvania. Mr. Speaker, I know of no opposition to this bill and I have no requests for time.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to consider the bill (H. R. 7697) in the House as in the Committee of the Whole House on the State of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2231 (1) of title 10, United States Code, is amended by changing the semicolon at the end thereof to a comma and adding the words "including troop housing and messing facilities."

SEC. 2. Section 3 of the National Defense Facilities Act of 1950, as amended (50 U. S. C. 882), is amended by striking out the words "in an amount not to exceed \$500 million over a period of the next 3 fiscal years commencing with fiscal year 1951" and inserting in lieu thereof the words "In an amount not to exceed \$650 million over a period of the next 9 fiscal years commencing with fiscal year 1951".

With the following committee amendment: Strike all of section 2 and insert the following:

"Sec. 2. Section 3 of the National Defense Facilities Act of 1955, as amended (50 U. S. C. 882), is amended by striking the figure \$500 million and inserting in lieu thereof \$580 million.

"Sec. 3. The Secretary of the Navy is authorized to construct the following projects:

"Naval Air Station, Alvin Callender, New Orleans, La., 10 units of family quarters, \$145,000.

"Naval Air Station, Dobbins Air Force Base, Atlanta, Ga., 10 units of family quarters, \$154,000.

"Funds heretofore appropriated to carry out the purposes of sections 2231 to 2238 of title 10, United States Code shall be available to carry out the purposes of this section."

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS of Louisiana. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I do not know that I will use the full 10 minutes, but I do want the time available in the event there are any questions to be asked about this bill during the course of the handling of it.

Mr. Speaker, this measure marks merely a continuation of a program which has been in operation by the armed services since 1950; a program to provide suitable facilities for the Reserve establishments, the Army, the Navy, the Air Force, Marine, and Coast Guard throughout the United States. In 1950 we realized the extreme importance of having proper reserve facilities for our Reserve components. Up until World II, I do not believe that this country had fully appreciated the value of having well-trained Reserve components of the Military Establishment. We realized then, in 1950, that to have these Reserve components we would have to provide them with the proper facilities for training. In that year we provided the country with a bill which has worked

very satisfactorily since the Congress approved it. That bill provided that over a period of 5 years' time, Mr. Speaker, this country could spend a sum not exceeding \$250 million for the providing of Reserve armories and Reserve installations and needed Reserve construction throughout the length and breadth of this country.

Under this program, Mr. Speaker, Congress provided this Reserve construction. We found, however, that the authorization was consumed shortly before the end of the 5-year period, and as the result of this, the Military Establishment came back to the Congress and asked us to extend the time for 2 years and to provide an additional \$250 million authorization for construction, to be spent during that 2-year period. That time has passed, and now the Military Establishment comes back and they tell us that they have done a good job in reference to this construction. All of the witnesses we heard indicate that a very satisfactory job has been done in reference to construction, but they say they need for the next year the sum total of \$150 million additional to carry on this program. With that amount the program will go on for another 12 months.

Your committee went into the matter very carefully. It thinks the time has come in this program, as in all programs, to tighten up with the spending wherever it is possible, and as a result we found that a carryover balance of authorization of some \$45 million was now on hand under the program. The sum really needed additionally in authorization was \$80 million rather than \$150 million, and as a result of it, your committee amended the bill and reported to you a bill carrying with it a new authorization of \$80 million rather than the \$150 million. That does not mean any diminution of the program. The program will go forward as it has in the past, but we are approaching the time when we think we can see the end of the road, a completion of the program.

Mr. NORBLAD. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Oregon, a member of the Armed Services Committee.

Mr. NORBLAD. Is it not a fact that this bill was passed unanimously by the subcommittee and the full committee?

Mr. BROOKS of Louisiana. That is right. There was no opposition to the program. It has been a unanimously accepted program. Everybody seems to appreciate the program.

Mr. MILLER of Maryland. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to the gentleman from Maryland.

Mr. MILLER of Maryland. I want to compliment the gentleman and concur entirely in the remarks he has made about this program. Having worked in the Reserve component of the National Guard, I rise to ask this question: As I understand, it does include both the National Guard armories and the Reserve components?

Mr. BROOKS of Louisiana. It is for that construction program. I might tell

my distinguished friend that under the National Guard construction program to date the guard has received \$119 million and that this has been spent on 2,726 locations throughout the length and breadth of the country. They do have need for a total of 2,800 locations, so they are a few locations short, and this will, I think, largely complete the guard program.

Mr. MILLER of Maryland. It has been indicated in hearings before the Appropriations Subcommittee that in a number of States there are matching funds available and plans ready to go ahead with the National Guard armory construction program which exceeds the amount of present authorization and that some legislation such as this is necessary.

Mr. BROOKS of Louisiana. If we do not have the legislation available, what will happen is this: Those matching funds from the States will escheat back to the States, and they will have to be reappropriated unless we have this authorization.

Mr. MILLER of Maryland. Can the gentleman advise me? Is the present \$80 million of increased authorization going to be sufficient to take care of what is foreseen as needed for the immediate future?

Mr. BROOKS of Louisiana. Yes, for the next 12 months it will take care of it. Then we have asked the military to come back and show us what the program is from then on. We feel that we are over the hump and that we are approaching the time when the program will be completed unless the Reserve program is expanded.

Mr. MILLER of Maryland. But this is not necessarily the final figure?

Mr. BROOKS of Louisiana. This is not necessarily the final authorization.

Mr. MILLER of Maryland. One more question, if the gentleman will yield further. Does this include also the so-called nonarmory funds?

Mr. BROOKS of Louisiana. Yes.

Mr. MILLER of Maryland. Those installations where the Federal Government pays the whole bill rather than a portion of the bill.

Mr. BROOKS of Louisiana. For the Reserve program for instance, the gentleman no doubt has in mind the Air Reserve where we provide runways?

Mr. MILLER of Maryland. Where the entire money is put up by the Federal Government rather than on a matching basis.

Mr. BROOKS of Louisiana. That is correct.

Mr. MILLER of Maryland. I thank the gentleman.

Mr. NORBLAD. Mr. Speaker, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to my colleague on the committee.

Mr. NORBLAD. In connection with the questions of the gentleman from Maryland [Mr. MILLER], it is a fact that we have a \$47 million authorization at the present time, in addition to this \$80 million.

Mr. BROOKS of Louisiana. That is correct. And I thank the gentleman for that pertinent observation. May I

say this in addition, that out of the money that we have thus far appropriated, the Air Force and the Air National Guard have received \$178½ million. The Air National Guard has 94 flying and 42 nonflying installations throughout the country.

The Army program thus far consists of \$70 million, with 2,047 locations. But the Army has a requirement of 2,570 locations. The Army Reserve now is short just a little more than 500 locations in its program.

The Navy and Marine Corps programs together have consumed \$83 million of the money thus far appropriated. That money has been spent in 142 locations throughout the United States.

May I say further with reference to the program, before we took over this program and passed a joint installation bill, as we have now, we found construction was taking place in areas where it was not badly needed. We found in some instances that the armories were not used to capacity. We found that we could have a better and more efficient program. There is now a careful study made before an armory is located in any particular place in the United States. Then there is an arrangement made for joint use. Any of the Reserve components may use it, so that the same armory, if it is possible to do so, may be used by all of the Reserve components in the course of the Reserve training program throughout the country.

I submit that it has been a most successful program. Your committee is very anxious to carry it on toward completion. We do appreciate the confidence which this Congress has imposed in the program.

Mr. HOFFMAN. Mr. Speaker, I move to strike out the last word.

I ask unanimous consent to revise and extend my remarks, to speak out of order, and to have my remarks printed at that point in the RECORD immediately following the vote on this bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise in objection to the pro forma amendment.

Mr. Speaker, I am in favor of the bill and I should like to ask a question. I should like to say how much I appreciate the very fine work the committee has done on these armories. These include the National Guard armories and the Reserve armories?

Mr. BROOKS of Louisiana. That is right.

Mrs. ROGERS of Massachusetts. In Lowell, Mass., we have a tremendously fine Navy armory. Our men, Naval Reserves, the Navy men, have been first in Massachusetts a number of times and fourth, I think, all over the country. I should like to ask if there is a possibility of having an armory for the Army Reserve officers in Lowell, Mass. They have none now. I think it is rather disgraceful that they do not have one. They have a very fine Reserve Corps there.

Mr. BROOKS of Louisiana. I will say to the gentlewoman from Massachusetts that we appreciate the fine support she has given to the program in the course

of the years. I have nothing as to Lowell, Mass., at this time. I am satisfied if the need there is shown it will be included in this continuing program. Thus far we did have a list of many of the projects. I think all of them have thus far been constructed or planned. Perhaps the gentlewoman has gone through that list.

Mrs. ROGERS of Massachusetts. At Lowell there is a very fine group of Reserve officers under the able leadership of Col. Henry McGowan and they do a very fine work under handicaps. In the heavy snow of winter it is very hard for them to go to an armory away from Lowell and the facilities at Lowell are entirely inadequate.

Mr. BROOKS of Louisiana. The people of Massachusetts are very fine people.

Mrs. ROGERS of Massachusetts. I agree with the gentleman, always a most courteous gentleman, and I know that he is a very fine Member from his great State, and his people are fine.

Mr. GROSS. Mr. Speaker, I move to strike out the last two words and ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I take this time to get a few facts. What are you doing here? Is this an \$80 million appropriation or a \$580 million authorization?

Mr. BROOKS of Louisiana. It is an \$80 million authorization.

Mr. GROSS. Then what is contained in lines 15, 16, and 17, regarding funds heretofore appropriated to carry out the purposes of this act? What additional funds are involved there?

Mr. BROOKS of Louisiana. That was explained a while ago. In 1950 we authorized \$250 million for this program to be spent over 5 years. In 1955, 5 years later, we authorized \$250 million more to be spent over a period of 2 years. The 2-year period is just about up now, and this is to authorize an additional sum to take care of the needs for the next 12 months. We need \$80 million more. That is really what this bill is.

Mr. GROSS. Where does the \$45 million, about which you were talking a few minutes ago, come into the picture?

Mr. BROOKS of Louisiana. The \$45 million is left over from the unconsumed authorization of the past \$500 million.

Mr. GROSS. So this is in effect \$45 million plus \$80 million?

Mr. BROOKS of Louisiana. That is correct.

Mr. GROSS. I was not expecting this bill would be brought up this evening.

Mr. BROOKS of Louisiana. It has been on the calendar all week.

Mr. GROSS. I understand, but I had assumed the school bill would consume the full day.

I can recall a couple of years ago when I asked the gentleman from Louisiana or the gentleman from Georgia, I cannot remember which, when the House was considering the Reserve training bill, whether there were adequate armory facilities and training facilities for the expected increase in the Reserves and got the answer that facilities were probably

adequate. My concern then was whether the Reserve training program was going to cost the taxpayers many millions of dollars to build facilities.

Mr. BROOKS of Louisiana. I do not know the answer. It did not come from me that it was adequate, because when we had our initial hearing on these the estimate was it would cost to provide all of the Reserve facilities we needed for the entire Reserve program over a billion dollars. I am pleased to report that I do not believe it will require that amount. We will get through with the Reserve program with a saving of perhaps \$300 million or \$350 million under the estimate that was made, maybe more; so we are far under the original estimate that was made to the committee.

Mr. GROSS. I will say to the gentleman that if memory serves me correctly, someone on the Committee on Armed Services at that time said it would take no tremendous expenditure of money to provide the necessary training facilities. Now we are confronted with this bill involving more than \$120 million.

Mr. BROOKS of Louisiana. This is in line with the original program. We are very pleased because, as I told you, the program is not costing what we thought it was going to cost originally.

Mr. DEVEREUX. Mr. Speaker, will the gentleman yield? I believe I can straighten that question out.

Mr. GROSS. I am glad to yield to the gentleman.

Mr. DEVEREUX. The statement that the gentleman is referring to, I believe if he will go back through the RECORD, he will find had reference to the active-duty training of the reservists when they go to the Army installation or the Air Force or wherever they might go, where they would be going through their 6-month training period. This has no reference to that in any way whatsoever.

Mr. GROSS. No; I will say to the gentleman, I think the question arose during the consideration of some bill pertaining to the 6-month training program.

Mr. DEVEREUX. That is right. That is correct, but this has nothing to do with the 6-month training program.

Mr. GROSS. It has nothing whatever to do with the 6-month training program?

Mr. DEVEREUX. No.

Mr. NORBLAD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. NORBLAD. At the end of the year 1950, at the time this bill originally passed, we had 180,000 reservists and we are now figuring on 300,000 next year.

Mr. MILLER of Maryland. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. MILLER of Maryland. I think the gentleman's concern about the expense of this is unnecessary for the reason it is evident to most of the people familiar with this subject that by making more or less permanent our reserve facilities for the National Guard and the Reserve, it has been possible already to get a greatly reduced size of our standing forces and in the end it will be highly economical.

Mr. GROSS. Perhaps, but that is another subject. Let me say to the gentleman that my concern is that I just do not want to wake up and find I was told one thing 2 years ago and something else has happened and will continue to happen. That is my concern.

Mr. MILLER of Maryland. I think the gentleman can realize that originally the bill was a half-billion-dollar authorization, of which \$45 million have been committed. The thing has grown just as have the Reserve and the National Guard forces, but it is in the interest of economy to have these establishments.

Mr. GROSS. But that is another subject entirely. I just do not want to be told—and let me repeat this—I just do not want to be told in 1 year that a vast building program will not be necessary and then be confronted here on the floor of the House with additional millions of dollars of expenditures to provide facilities.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The gentleman from Iowa is recognized.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. BROOKS. I believe I do have some recollection of the gentleman asking about the cost, but was that not the case in reference to the training under the 6 months' plan and not in reference to the Reserves?

Mr. GROSS. No, no.

Mr. BROOKS of Louisiana. The gentleman did not direct the question to me. I do not have any recollection of telling you that. The cost of the program has been the same all the way through. Since 1950 we have known the program was not completed, and there would be an additional cost, and I did not tell the gentleman that there was not going to be some additional cost as a result of this. But I do say that we are over the top on the program; we are on the far side; we are coming toward the end of the program, and the program has been a good program.

Mr. GROSS. Let us be sure that we understand each other. It was not a question of facilities for training the 6-month trainees while they were in the service. It was a question at that time of facilities for training that would flow from their Reserve service. At that time, if memory serves me correctly, I was told that adequate facilities were already available in the National Guard armories and in the various Reserve units; that there would be no need for a big expansion program.

Mr. NORBLAD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. NORBLAD. The figures I gave the gentleman a moment ago had to do with the armed services. In reference to the National Guard, in 1950 they had

350,000 men and today they have 425,000 men, or an increase of 75,000 men.

Mr. GROSS. Mr. Speaker, I am still not convinced that the authorization of this amount of money is necessary, but not knowing that this bill would come up at this late hour and lacking the necessary information to carry on the proper opposition, I yield back the balance of my time.

Mr. NORBLAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. NORBLAD. Mr. Speaker, I wish to join with the gentleman from Louisiana in supporting this bill.

In 1950 we enacted the National Defense Facilities Act and began a long-range program for the systematic construction of Reserve facilities.

The mission of the Ready Reserve, including the National Guard—insofar as the Federal Government is concerned—is to furnish, on the day that a national emergency is declared, units of organized, trained, and equipped personnel in time of peace for rapid mobilization, expansion, and deployment. These units should be of the type and number which, together with the regular establishment, will constitute the armed services of the United States.

In 1950 the most serious obstacle to the creation and maintenance of effective units was the nonavailability of armories and other facilities. Without adequate safe storage and necessary training equipment, the training was falling below desired standards. Without attractive facilities and equipment, we found the recruitment of enlisted personnel and the retention of their interests was most difficult. Consequently, the provision of adequate armories for the training of the Active Reserve—including the National Guard—was of prime importance.

In 1950, when the Reserve Construction Act was first enacted, the National Guard had a strength of about 350,000, as compared with the strength of about 425,000 today. The drilling units of the organized Army Reserve totaled approximately 180,000 in 1950. In comparison this House has just appropriated for fiscal year 1958 sufficient funds to maintain a strength in excess of 300,000 for the Army Reserve. Likewise, the Active Reserve units of each of the military services has increased so that there is a corresponding need for an increase in training facilities.

The Congress has appropriated \$500 million since 1951 for the construction of Reserve facilities which are located in all parts of the United States. We are well along on our way to providing the necessary facilities for use of our Reserve in their training programs. The bill before us today is by comparison a modest increase in authorization for additional facilities. It will authorize an additional \$80 million for all of the Reserve components. While this figure may seem large, keep in mind that it provides funds for construction of facilities for the Army Reserve, Navy Reserve, Marine

Corps Reserve, Air Force Reserve, Army National Guard and Air National Guard. In addition, you must keep in mind that this authorization is not for armories alone. Far from it. These funds will also be used for the construction or rehabilitation of storage facilities, motor vehicle sheds, repair shops and the build-up of existing sites having inadequate facilities to support high performance jet aircraft.

I am proud to say that the efficiency of our Reserve forces is at an all-time high. Today we have more persons volunteering for the Reserves than ever before, the training programs have been improved, the morale is generally high and much of this improvement can be credited to the better facilities we have provided for the Reserve.

The fundamental importance of trained reservists to the Nation's mobilization readiness for the national defense has been well demonstrated and is a matter with which most Members of Congress are well acquainted. The Secretary of Defense and the committee believe that the enactment of the extension of authority to provide additional facilities for the Reserve is clearly essential to a healthy Reserve force posture.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, the bill under consideration, H. R. 7697, providing additional facilities necessary for the administration and training of units of the Reserve components, provides, according to the report on page 6, "\$30½ million is planned for expenditure for 15 Reserve flying installations" for the Air Force.

I have been advised that this item includes, in 1 of the 15, the construction of much needed permanent facilities in the amount of \$2,657,000 at Pinellas International Airport for a Reserve troop carrier squadron. This squadron was established as a unit in October of 1955 and has exceeded all expectations in its recruitment program and certainly sustains the wisdom of Congress in setting up these Reserve flight training units.

I trust that funds will be made available for commencement of construction as soon as possible, and I believe that this project merits highest priority for the following, as some of the reasons:

First, Pinellas International Airport is undergoing substantial and sweeping improvements on a long-range basis, with actual construction well under way, and long-range planning is under way which necessitates immediate commencement of construction on permanent Reserve facilities in order that present temporary quarters can be made available for other use as soon as possible;

Second, the governing authority of the airport was assured that construction would be underway within a few years after establishment of the unit in October of 1955, the Air Force having been put on notice at the early date of

initial negotiations concerning the location of the unit on the airport, that long-range plans for development were being made and that temporary quarters would be available only for a limited interim period;

Third, the complete acceptance of the unit by trainees establishes beyond a doubt the wisdom of its permanent location at this airport, there being a tremendous population in the area to be served;

Fourth, because the actual architectural design, physical location, size, height of the permanent installations, as examples, as well as the need for facilities utilization must be known as soon as possible by the airport authorities in order for them to complete improvement, expansion, and long-range planning for expanded and coordinated civilian use of the facility.

I call these factors to the attention of Congress and to the Air Force in the hope that this project will be given top priority, which I believe the circumstances merit, in order that construction of the permanent facility can get underway in the near future.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

UNITED STATES SUPREME COURT

Mr. HOFFMAN. Mr. Speaker, that criticism of the Supreme Court is not confined to Members of Congress, or to lawyers, but is entertained by some of our constituents, is evident from this June 22, 1957, editorial from the *Sturgis Journal*, Sturgis, Mich. It was written by Mark P. Haines, a publisher and editor, and I read:

GOVERNMENT BY USURPATION

Recent decisions of the Supreme Court of the United States make convincing evidence that the lawmaking powers of Congress have been usurped by nine men who hold their positions by appointment and are frozen into their jobs for life. What President Roosevelt was unable to accomplish with his court-packing scheme in the 12 years he was President, President Eisenhower has achieved in less than 5 years. We now have government by philosophy and political opinion instead of law.

The Supreme Court has preempted the legislative functions of Congress and is decreeing—not interpreting—what laws shall govern our people and our economy. The irresponsibility of some of its decisions are incredible.

People of this country now have a better understanding of what President Eisenhower meant when he gave his reason for the appointment of Justice Earl Warren—that the former California Governor had a good middle-of-the-road philosophy. A judge's personal convictions and philosophy should have no bearing on his judgment in matters

of law. The Supreme Court's duty as defined by the Constitution is to apply the law to the facts as determined by the lower courts unless there has been a gross abuse of discretion with regard to the latter. Personal views and prejudices should have no part in the Court's reasoning.

Adding to the confusion is the fact that the Supreme Court can't make up its own mind.

On June 11, 1956, the United States Supreme Court by a 5 to 3 vote upheld the right of military courts to try civilian dependents accompanying the United States Armed Forces overseas. Last week, ruling on the same 2 cases, less than 1 year after its first decision the Court reversed itself completely. There are now nearly 400,000 of these overseas dependents, plus 24,000 civilian employees, who have no papa, no mama, no Uncle Sam.

Even more serious in its implications is a recent decision of the Supreme Court practically nullifying the authority of Congress to deal with Communists on the Federal payroll. Reversing its own decision, upholding the Smith Act 6 years ago, the Court has now freed 5 California leaders of the Communist Party from sentences under the Smith Act, and ordered new trials for 9 others. The Court's reasoning is, that in order to convict under the Smith Act, which makes it a crime to conspire to teach and advocate overthrow of the Government by force and violence, it is necessary to prove that action toward violent rebellion is being advocated. A simple showing of advocacy says the Court, is not sufficient for conviction.

This seems to be a distinction without a difference. Does it mean that a man who plants a bomb in an airplane or a theater or a home can't be convicted unless he is caught touching a match to the fuse? The intent of Congress in passing the Smith Act was perfectly obvious. It was designed to enable the law-enforcing agencies to prosecute and convict Communists on the Federal payrolls. Now the Supreme Court is releasing them faster than they can be put behind bars.

No wonder Government lawyers are bewildered. Commented Columnist David Lawrence: "It all adds up to the bewilderment of the public which is being solemnly told that it must always bow to the supreme law of the land—whatever that is today."

Well might the people inquire as did a certain Cassius in another time of threatened tyranny:

"Upon what meat doth this our Caesar feed. That he is grown so great?"

Unless something can be done to curb the autocratic power of the Supreme Court, Congress might as well pack up and go home. Let the Supreme Court write as well as pass judgment on the Nation's laws.—M. P. H.

Pressure groups, especially those with left-wing views, may mislead Members of Congress, but their views are not accepted generally—at least, not in southwestern Michigan.

BIRTHDAY OF COMMONWEALTH OF PUERTO RICO

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the island Commonwealth of Puerto Rico is celebrating its fifth anniversary today. For 5 years now, it has enjoyed the unique and highly successful status of

Commonwealth in union with the United States of America. In other words, it has been able on the one hand to maintain complete control of its own internal affairs and, on the other, to enjoy the benefits of United States protection in foreign relations, in defense, and in full American citizenship.

What has this 5-year period meant to the island? What have been the gains and experiences of this newly self-governing Commonwealth? It is immediately apparent, even to the most casual observer, that Puerto Rico has not only made good in its new political responsibilities but has also set a pace that the rest of the world will have trouble keeping up with.

The record is impressive. For a people with no previous experience at all in self-rule until United States troops landed on the island less than 60 years ago, the Puerto Ricans had by the decade of the 1940's come to a sound appreciation of the requirements of a democratic government. Their cooperation with the United States, under the able leadership of the present Resident Commissioner, Dr. ANTONIO FERNÓS-ISERN, in formulating a constitution satisfactory to both the islanders and the mainlanders has been only one of many manifestations of a political wisdom and equilibrium far beyond that of many long-established governments.

Most recently, the Puerto Ricans have demonstrated their capacity for local self-government in the reelection of Gov. Luis Muñoz-Marín, a truly outstanding figure. The Governor deserves the primary credit for Puerto Rico's current political solidarity, for Puerto Rico's almost unanimous support of the new Commonwealth status, and, equally important, for Puerto Rico's miraculous economic and social development.

The Governor, native Puerto Rican who spent some years as a Greenwich Village poet, returned to his native land in 1931. Since that time he has brought the force of his own creative imagination and energy to bear toward an enduring solution of his country's problems. So popular has he been in his personal touch with all classes of the population that he was reelected last year for the second time, receiving almost two-thirds of the total vote cast. That means he has served in his present capacity as chief executive of Puerto Rico longer than any other governor of the island in the 20th century and at the same time longer than any current executive in any of the other Latin-American countries.

In the past 20 years, and particularly in the last 10 years under his leadership, the little island southeast of the tip of Florida has been undergoing fundamental changes. Concomitant with the mighty and long-sought increase in local autonomy, a social and economic revolution has taken place on the once sleepy isle. Operation Bootstrap has indeed lived up to its name, for Puerto Rico has been setting world records in raising itself by its own bootstraps to a new position of stability and prosperity.

With no natural resources besides the skill and intelligence of the people themselves, and originally with no industry other than the industry of the

inhabitants, Puerto Rico has nevertheless raised its per-family income from \$660 in 1940 to \$2,400 in 1956. Puerto Rico has decreased its illiteracy rate from 32 percent to 18 percent; elementary school enrollment has reached 91 percent. The average life expectancy has risen from 46 years in 1940 to 68 years today. The island has attracted more than 400 new industries to provide employment for willing and able workers.

What lies behind this remarkable success story? As underdeveloped countries all over the world seek a solution to the same problems of overpopulation and an agricultural economy what does the Puerto Rican pattern have to offer as a guide to others? Unquestionably, an indispensable element in the island's meteoric rise has been the close relationship with the United States. Politically, this tie has brought to the Puerto Ricans an experience with democratic methods and especially with local autonomy that has made possible the present Commonwealth status; it has also made possible the gradual growth within Puerto Rico of a truly representative state where governors and governed are in real accord. Economically, the tie with the mainland has brought many concrete advantages. Providing on the one hand an outlet for enterprising individuals who have come to the mainland to seek their fortunes, and on the other a source for industrial development on the island, the United States has indeed played an integral part in the new development of the island.

But to look no farther than the mainland for the real source of Puerto Rico's success is to ignore perhaps the most potent factor of all in the island's metamorphosis: the eagerness and ability of the people themselves to go all out in pursuit of the ideals that they have chosen. The Puerto Ricans themselves have expended blood, sweat, and tears to make their island free and prosperous. They have served in the national Armed Forces in larger percentages than most mainland areas. They have worked hard, both mentally and physically, to make the most of every advantage that came their way. And they have cared, they have really felt deeply the need for themselves and for their children to make their sunny island a successful democracy instead of just another poverty-ridden tropical isle. It is in this concern, democratically applied, that the real secret of Puerto Rican success is to be found. And it is this deep individual conviction which should be an example to other underdeveloped areas struggling to achieve through force the same aims which Puerto Rico has won by cooperation.

It is only fitting, then, that we pause for a moment on this day, the fifth anniversary of Puerto Rico's Commonwealth status, to consider these remarkable achievements of our island neighbors. The old American success story is coming true again on Puerto Rico where the same integrity, intelligence, and hard, hard work that used to bring Horatio Alger heroes to the top is bring-

ing Puerto Rico to the top today. We are all very pleased to have this occasion for congratulating our fellow citizens of Puerto Rico on their past achievements, and for wishing them a long-continued success in the future.

Mr. Speaker, it is the good fortune of Puerto Rico, and of his colleagues in this body that the Resident Commissioner is a statesman of the stature and personal charm of the Honorable ANTONIO FERNÓS-ISERN. On this anniversary of the Commonwealth we again extend to Dr. FERNÓS-ISERN expression of our admiration and affection.

CITIZEN LAW ENFORCEMENT—THE NEW FRONTIER

The SPEAKER. Under previous order of the House the gentleman from Texas [Mr. KILGORE] is recognized for 15 minutes.

Mr. KILGORE. Mr. Speaker, in these days of rising crime, here is an instance of proof that citizens can act to combat lawlessness at its source without the added expenditure of public funds or the enlargement of Government responsibilities and jurisdiction.

Something new has come forth in the field of crime fighting and crime prevention: An organization with a program that encompasses every citizen and group of citizens from the largest corporations in Texas down to the smallest schoolchild. It represents a new frontier in the war on crime.

At the conclusion of this discussion I have appended the names of the board of directors of this organization, comprising many of Texas' most distinguished citizens who are giving of their time and talents in this cause.

Less than 2 years old, the Texas Law Enforcement Foundation already has reached out and affected more than 1 million Texas citizens, has had an impact on the planning of college curricula, has had nationwide publicity, and is getting the interested attention of crime fighters in every State. The work of this organization is of such general interest that I believe it should be called to the attention of the Members of this body.

Every year in our country 40 or 50 peace officers lay down their lives in the line of duty.

Many thousands of others go on about the dangerous and thankless job of guarding our homes, our lives, our property, and our peace of mind. While we play, they work. They patrol the streets while we sleep. Day in and day out they take it upon themselves to deal with the world's anger and viciousness and greed and sorrow. They are daily witnesses to human misery and they are well acquainted with violence and bloodshed.

They work year in and year out for low salaries, without glamour, without fame, and usually without recognition.

They ask no special rewards. They do not ask for praise and they do not ask for sympathy. They ask for only one small thing—the one thing they should not have to ask for: They want understanding and intelligent cooperation from the public they serve—and they are not getting it. Their biggest obstacle as they go about their almost im-

possible job is the apathy and unconcern of the public.

Because citizens are unconcerned, law-enforcement officers are badly equipped with the tools and facilities of crime fighting. They are hampered by ancient criminal laws that should have been amended and recodified 30 years ago, and they are impeded by financial appropriations that are absurdly inadequate for the task.

There, in a nutshell, you have the reason for the existence of the Texas Law Enforcement Foundation, which is something new in crime fighting. It is a national pioneer in the field. There is no other organization like it in the world.

The primary purpose of TLEF is to make citizens of Texas aware of their part in law enforcement—to help them understand the law.

The purpose and the goals of the TLEF are lofty and vast. They can best be described in a simple story of bravery that happened in Texas last year.

In a little Texas community a fine, respected citizen suddenly went berserk. He had a gun and was threatening to kill the first person who came within range. The sheriff of that Texas county had been seriously wounded the year before by another ordinary citizen whose mind had suddenly snapped, and the man who had held the job of sheriff before him had been blinded by still another deranged person with a gun. Nobody was going to take any chances with this man—they would shoot him if they had to.

A Texas ranger named Lewis Rigler arrived on the scene, and if any man ever had cold courage, Rigler did. He threw away both his guns, began talking to the man, stepped into his line of fire in spite of the man's warning that he was going to shoot, and walked right up to him and talked him into laying his gun down. It is one thing to face an intelligent criminal who is able to reason, and it is another thing to walk unarmed up to an excited maniac who wants to kill. When Lewis Rigler was commended for a job well done, his only reply was that he did exactly what he had been trained to do, nothing more.

The purpose of the Texas Law Enforcement Foundation is to gain public support and cooperation for men like Lewis Rigler—to keep such men in their jobs, give them a living wage, to furnish them the tools of their profession, and to train many law-enforcement officers to do their duty with such courage, such devotion, such personal dedication.

It is not the purpose of the Texas Law Enforcement Foundation to criticize, to supervise or to prod the men who enforce the law. Lewis Rigler did not need a crime committee to look over his shoulder and tell him how to approach a dangerous man, or to goad him into action with the pitchfork of criticism. The purpose of the TLEF is to help, not hinder or harass.

A great deal has been said about purpose—but what about the accomplishments of the TLEF? What, specifically, is it doing that makes it a new frontier, a second front, in the war on crime? Its activities are as vast as its goals, and there is time here to name only a few.

Its most familiar and well-known undertaking is the crimemobile, a crime-detection laboratory on wheels that travels thousands of miles a year and has been visited, since it was launched in 1956, by 1 million Texans. The crimemobile goes anywhere in the State by invitation from schools and civic clubs, to impress young people, particularly, with the fact that crime does not pay and that modern justice is inescapable. More than that, it familiarizes the public with the techniques of crime fighting, and gains support for bigger, better law-enforcement efforts.

No less significant than the crimemobile in its long-range effectiveness is the foundation's work toward establishing 4-year college courses in criminology for those who want to make crime-fighting a life's work. You can go to any good college or university and get a degree in English, drama, physical education, or real estate. Is fighting crime less important than speaking good English, being athletic, or selling houses and lots? Crime costs Americans about \$20 billion a year. It costs Texans 1 billion every 12 months—more than is spent in this State for all schools, highways, and public institutions combined—more than for the entire Texas State government. It costs every Texas family about \$500 annually. Worse than that, a murder, manslaughter, rape, or assault is committed every 4 minutes, and a major crime every 12 seconds. This is the price we pay for being unconcerned.

The foundation believes in education. It is dedicated to education. Besides working for the inclusion of crime fighting in college curriculums, the TLEF administers the scholarships awarded every year to the children of deceased law-enforcement officers; aids in financing a police training institute conducted by the Southwestern Legal Foundation of Southern Methodist University; co-sponsors numerous conferences and training courses for police officers and prosecutors in cooperation with the Texas Department of Public Safety, attorney general's office, State Bar, and Texas University; publishes the TLEF Bulletin, which provides important information on court decisions, new techniques, and late developments in crime fighting to more than 25,000 peace officers, agencies, judges, prosecutors, schools, and interested citizens throughout Texas; provides the Texas Police Association with training films for use by police agencies; publishes the Peace Officer's Handbook which sums up for the law-enforcement officer the legal authority for his actions and points out the limits beyond which he cannot go; is working to establish criminology libraries containing a minimum of \$150 worth of books in every county in Texas—this vitally important project is making especially great headway—sponsors Law Enforcement Appreciation Week and makes awards for outstanding service to district and county attorneys, sheriffs, justices of the peace, constables, and others.

But education is only one part, one aspect, of the foundation's work. It also takes a direct part in the actual war on crime. It maintains a \$3,000 revolving fund for the use of Texas narcotics

agents in the expensive process of buying evidence—that is, narcotics—from the peddlers and pushers who sell drugs illegally. Officers, otherwise, have to bear this expense personally until reimbursed by a tedious process of requisition and redtape.

There are other expenses, too, that peace officers often have to bear out of their own pockets, and the foundation is working to relieve them of that burden. Many Texas counties have radio equipment in the sheriff's office only because the sheriff was willing to pay for it out of his salary. TLEF conducts a continuing survey of sheriffs' communications systems, and since this project started, 30 counties have acquired radio equipment for the first time. There are still many deficiencies to overcome.

Not least among its many activities, the foundation is making detailed studies in vast and neglected fields of law enforcement—the administration of criminal justice, personnel, salaries, equipment, criminology—with the object of getting improvements in the process of justice from the making of a law down to the incarceration and rehabilitation of the lawbreaker. TLEF is working with appropriate agencies to bring about more accurate and more extensive reporting of the number and types of crime in Texas, and intends to enter every field and batter down every barrier in order to see the number of crimes in Texas diminish year by year until Texas is a model State in the efficiency of law enforcement.

Among the foundation's proudest and most pleasant activities is its operation of one of the finest organizations in America—the JETS—made up of thousands of children who have earned their membership on the junior enforcement team by visiting their local law enforcement agencies or courts, by taking part in law enforcement activities at school, by talking with their parents about obeying the law, and by taking a pledge to cooperate with law enforcement officers in every way they can. The value of this kind of citizen recruitment will be measured when a new generation of Texans has grown up with a deeper respect for the law and a better appreciation of law enforcement.

So you see, the foundation's goals and activities are indeed broad. They range from putting dope peddlers in jail to putting orphans through school—from running police training academies to operating a law enforcement team for children. And this is only the beginning. There is no limit to what 9 million Texans can do for better law enforcement if they get behind such an organization.

How did all this get started? Who decided that peace officers should not be forced to fight crime and public indifference too? Who came to the conclusion that the public is responsible for good or bad enforcement, and that only the public can rectify the national disgrace of crime?

The ideas began when John Ben Shepperd, who was then attorney general of Texas, observed that Texas justice had gone about as far as it could go unless Texas citizens were awakened

to their personal responsibilities. Officers attending one of the annual attorney general's law enforcement conferences agreed with Shepperd and several Texas businessmen who comprised the attorney general's advisory committee on law enforcement and said:

The next forward step in law enforcement must come from the people.

Texas businessmen and industrial concerns were quick to recognize the value of the idea. TLEF was chartered in 1955 as an educational, nonprofit organization, and its beginning was financially underwritten by business, industry, and the professions. Ninety-seven prominent businessmen now comprise the board of directors, and Col. Homer Garrison, Jr., director of the Texas Department of Public Safety, heads a 15-member advisory council of professional law enforcement officers who take part in developing all of TLEF's major policies. Erle Stanley Gardner, internationally famous author, attorney and criminologist, has served as special adviser to the TLEF since it was started. In the directorship of the organization peace officers work shoulder to shoulder with doctors, lawyers, bankers, oilmen, ranchers and citizens of all walks of life. Their actions are constructive and positive, their aims are ambitious, and their horizons are unlimited. The foundation's idea is simple but revolutionary, and its potentialities are beyond the imagination.

A remarkable fact about this growing Texas organization is that instead of asking for Government help, its primary purpose is to help Government. This is the way Americans work to meet the needs of modern society without increasing taxation, extending governmental authority over their lives, or expecting agencies and bureaus to accomplish for them what ought to be accomplished with the heads, hearts and hands of the people. There is an example here for the citizens of all America, and a warning for all who live by crime. And in that example and warning, there is also a prayer that the human misery and suffering wrought by crime might be lessened because citizens' hands are stretched out to each other in cooperation for the common good of all.

The members of the Board of Directors of the Texas Law Enforcement Foundation include C. N. "Buck" Avery, Jr., Austin; Hines H. Baker, Houston; Leslie M. Ball, Beaumont; John L. Bates, Corpus Christi; A. L. Becker, San Antonio; Elmer C. Bentsen, Mission; John Biggs, Vernon; A. M. Biedenbarn, San Antonio; James H. Blundell, Dallas; D. R. Blackburn, Victoria; Robert Lee Bobbitt, San Antonio; Dolph Briscoe, Jr., Uvalde; Elmer Brotze, San Antonio; Cecil E. Burney, Corpus Christi; Earle Cabell, Dallas; Galloway Calhoun, Tyler; Robert Cargill, Longview; D. C. Chorpening, San Antonio; Edward Clark, Austin; C. H. Coffield, Houston; J. E. Connally, Abilene; Vannie E. Cook, Jr., McAllen; Howard Cox, Austin; Billy Bob Crim, Kilgore.

John Davenport, Austin; E. M. (Ted) Dealey, Dallas; Leroy G. Denman, Jr., San Antonio; F. O. Detweiler, Dallas; T.

Kellis Dibrell, San Antonio; J. Harold Dunn, Amarillo; Sam W. Dunnam, Jr., Corpus Christi; Conrad Dunagan, Monahans; Fred F. Florence, Dallas; C. E. Fulgham, Lubbock; H. U. Garrett, Longview; E. B. Germany, Dallas; Truman Gill, Beeville; Chas. H. Griffith, Sinton; D. A. Hulcy, Dallas; Leroy Jeffers, Houston; Morgan Jones, Jr., Abilene; Weldon M. Jones, San Angelo; J. Lee Johnson III, Fort Worth; Jack S. Josey, Houston; Radeliffe Killam, Laredo; Culp Krueger, El Campo; Walter G. Lacy, Jr., Waco; Jackson B. Love, Llano; John E. Lyle, Corpus Christi; W. W. Lynch, Dallas; Charles P. McGaha, Wichita Falls; C. T. McLaughlin, Snyder; Gordon McLendon, Dallas; Jack R. McVeigh, El Paso; J. Q. Mahaffey, Texarkana; Frank W. Michaux, Houston; Merton M. Minter, San Antonio.

Shearn Moody, Jr., Galveston; Charles B. Moore, El Paso; Josh Morriss, Sr., Texarkana; R. E. Nickles, Amarillo; W. W. Overton, Jr., Dallas; J. H. Posey, San Antonio; French M. Robertson, Abilene; J. Woodall Rodgers, Dallas; John W. Runyon, Dallas; John Ben Shepperd, Odessa; Carl B. Sherman, Houston; E. A. Stanfield, Lufkin; John T. Steen, San Antonio; Allan Shivers, Austin; Albert Steves III, San Antonio; Sam Bell Steves, San Antonio; James A. Stillwell, Houston; Park Street, San Antonio; C. E. Swallow, Dallas; Pat Taggart, Waco; C. A. Tatum, Jr., Dallas; R. L. Tayloe, Dallas; Jay Taylor, Amarillo; J. B. Thomas, Fort Worth; H. C. Tindall, San Antonio; R. L. Tollett, Big Spring; William C. Triplett, Corpus Christi; C. W. Voyles, Austin; Ganahl Walker, Jr., San Antonio; D. H. Walkup, Kilgore; Guy I. Warren, Corpus Christi; Leo Welder, Victoria; J. Marion West, Houston; Raleigh White, Temple; C. D. Williamson, Fort Worth; Will Wilson, Austin; J. W. Wolslager, San Angelo; Ben H. Wooten, Dallas; S. O. Yarbrough, Austin; Sam D. Young, El Paso; J. Holt Jowell, Midland; Erle Stanley Gardner, special adviser, Temecula, Calif.; Dr. LeMoyne Snyder, medicolegal counsel, Paradise, Calif.; Col. Homer P. Garrison, Jr., chairman, advisory council, Austin, Tex.

MILITARY JUSTICE AND FOREIGN JURISDICTION

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. PHILBIN] is recognized for 25 minutes.

Mr. PHILBIN. Mr. Speaker, the Girard case has aroused the American people because if the legal principles invoked in the case are given effect by this Government, it would nullify the Uniform Code of Military Justice and strip servicemen and women serving in foreign countries of their constitutional rights. It definitely appears that the facts in the case essential for judicial decision on jurisdiction have been established and certified to by the Army, and leave no doubt that when the alleged crime was committed that young Girard was on military duty, hence triable by court-martial. First, I will present some general principles bearing on this ques-

tion. Then I will deal with legal jurisdiction.

It should be noted that there is no more justification for Congress to intervene in judicial or executive functions than that the judicial or executive should interfere with functions of Congress, except to interpret the law in the case of the judicial and enforce it in the case of the executive. We are all under an obligation to recognize the historic American doctrine of separation of powers which has served us so well throughout the years, and which among other things militates against arbitrary action in our Government by one branch over the other in derogation of the constitutional rights of the individual, so precious to Americans.

Since Congress formulated and passed the Uniform Code of Military Justice which is an effort to establish a fair system of law for the armed services, and since in the line of adjudication by the Supreme Court the constitutional rights of persons in our armed services charged with crime have been asserted and upheld, there appears to be no ground for referring the trial of young Girard to a foreign government unless express authority for such action can be found in existing law or treaty. I do not believe that such authority exists. I do not believe that in such a case it was ever the intention of this Congress that American service personnel abroad should be tried by foreign courts for offenses committed in line of duty. Neither was this the intent or language of the NATO Status of Forces Agreements or the Japanese protocol.

I do not believe that the executive department of this Government has the power to enter into international agreements which deny servicemen and women abroad of their constitutional rights, nor do I believe that the executive department has the power to waive these rights. If it asserts such a power as it did in the Girard case, the Congress must enact a clarifying law.

Much stress has been laid upon the so-called Status of Forces Agreement and, a related so-called protocol understanding with the Government of Japan, which, it is claimed, authorizes turning Girard over to Japan for trial. It must be pointed out in the first instance that this protocol was never ratified by the United States Senate, and that it is, therefore, a bare executive agreement. Moreover, such a protocol could not possibly under our law, impair, or destroy rights accorded to our fighting men and women by the Constitution and other existing laws.

I am conscious of the fact that the matter is now decided by the Supreme Court. However, in my opinion, Members of Congress are under a study to be vigilant whenever the rights of our fighting forces and American citizens in foreign lands or elsewhere are assailed and threatened. In very specific language the Constitution has invoked upon us responsibility for raising and maintaining Armed Forces for the defense of the Nation and protecting the constitutional rights of those who comprise them as well as those of other citizens.

We cannot, I think, remain mute in the presence of plain reversals of past policy and law governing these matters which may be undertaken by the executive department or the courts. In this case, as I pointed out above, we do not have the case of an offense committed while the accused was off duty, or on leave, or which was committed under the jurisdiction of the host nation. This Girard case is a case, I submit, Mr. Speaker, which occurred, as has been certified by the Army, while the accused was on duty and within military jurisdiction. Under all the precedents of law and custom in this case, the accused was definitely subject to military law. I do not wish at this time to make reference to or mention the legal precedents. They are many and they are compelling and, to my mind, decisive on the point.

No amount of legal argumentation can challenge the fact that this young man when the offense was committed, was on duty and acting under military orders. What we have here, my friends, to my mind, is a very unfortunate accident which occurred while a young man, enlisted in the Army and serving in a foreign nation, was acting under military orders. It is, therefore, for an Army court-martial to determine whether there was punishable, culpable negligence, or other military offense in this case.

There is no requirement, in fact there is an injunction, against this Government exercising "powers under international agreements without observing constitutional prohibitions." It seems clear that any other construction would be offensive to the due-process clause of the Constitution, since the prohibitions of the Constitution apply not merely to one but to all branches of the National Government, and cannot be nullified by the executive department or by the courts.

The status of members of our Armed Forces on active duty in foreign lands is definitely fixed by our own laws as well as by international law whether these forces are present in a foreign nation by force majeure or by consent. The foreign sovereign has not been permitted by law to secure jurisdiction over our armed services stationed or physically present in an occupied nation. It would be an absurdity to allow a conquered or occupied nation to secure jurisdiction over American troops or forces in that status, and it would be a preposterous situation, as well as a violation of constitutional rights, to allow a foreign nation to secure jurisdiction over troops or forces on active duty present within its confines in furtherance of the defense and security of the United States.

I do not believe that the executive department can without specific authority from Congress issue orders or make arrangements with other nations which can legally nullify laws which Congress has enacted for the trial of persons in the Armed Forces. The executive department has no authority either to limit or enlarge court-martial jurisdiction over American citizens serving in the Armed Forces.

Article 5 of the Uniform Code of Military Justice states that "the code shall be applicable in all places. Only Congress can grant authority to change this jurisdiction." This principle of law has been recognized by international law and the practices of other nations.

What we have here, in effect, is an effort by the executive department to deliver over a member of the armed services to a foreign nation for trial just as in an extradition proceeding. We may take note of the fact that extradition proceedings are governed by treaty. In the absence of such a treaty, there is no discretionary power in the executive department to surrender an American citizen to a foreign nation for trial abroad. This is even plainer in the case of a member of the Armed Forces covered by the code.

The construction of an extradition treaty is for the courts, and it is my opinion that in exercising this function the courts are not bound by the rulings or action of our executive department, or by the orders of any foreign nation. Our courts act independently in these matters. Any effort by the executive department acting in its political capacity aiming to influence the courts in the deliberation upon or settlement of these questions is entirely gratuitous and unwarranted.

Some discussion has been directed to the political aspects of this case. Some believe and assert that it would be a gracious act upon our part to turn this young man over to the Japanese for trial. Presumably this view is predicated on promoting comity between the nations designed to eliminate adverse public opinion in Japan and the Far East arising out of the Girard incident. To trifle in this way with the sacred rights of American citizens would be shocking and indefensible and the fact that young Girard might receive a fair trial in Japan is not the issue.

He might or might not receive a fair trial. I have no desire to criticize the judicial institutions of Japan. I think it can be stated that they are not like our own judicial institutions. There are many points at variance between our two respective systems. The Japanese have their right to their own system and we have our right to ours. Japan is a great, friendly, democratic nation, and I favor cordial, cooperative relations with her in our fight against tyranny.

In this country under our Constitution and laws the accused possesses definite, constitutional, substantive rights, and also rights that pertain to procedural matters which we cherish very much, and which indeed are vital and essential to every American citizen. For example, we cherish the right of the accused to his own counsel, the right of trial by jury in criminal cases, the right against double jeopardy, the right to confront witnesses against him, the right against self-incrimination, the right to be protected against cruel and unusual punishment, the right of presumption of innocence, the right of the doctrine of reasonable doubt, the right against unreasonable searches and seizures, the right not to be prosecuted under *ex post facto* laws, and many other substantive

and procedural rights. I repeat and emphasize: These rights Americans cherish.

Both the Supreme Court and the Court of Military Appeals have recently recognized and reinforced these rights emphasizing the guaranties of due process to every American and his right to be tried under American principles of law. These are questions which relate to the so-called Status of Forces Agreement, and I think that they all provide food for thought to the Members of this body on that subject. It should be made clear, however, that the Status of Forces Agreement as such recognizes our jurisdiction in such a case. We are definitely faced with serious problems arising from surrender of basic American rights under international agreements and Congress acting under its constitutional mandate surely must, in time, settle these burning issues which may affect the liberty of many Americans fighting for our country in foreign lands. Our executive department should never waive these rights as it did in the Girard case.

The very able, distinguished Chief Justice Quinn of the Court of Military Appeals summarized this issue in a recent case before that tribunal. He said:

I have absolutely no doubt in my mind that accused persons in the military service of the Nation are entitled to the rights and privileges secured to all under the Constitution of the United States unless excluded directly or by necessary implications, by the provisions of the Constitution itself. Consequently, in my opinion, there is no merit to the argument that the Constitution has no application outside the continental limits of the United States. * * * Our Armed Forces are now stationed in 63 foreign countries, as part of our program of national defense and our effort to preserve the peace of the world. They are not thereby deprived of their constitutional rights and privileges. On the contrary, those constitutional rights and privileges are a fundamental part of the military law. And the military law governs our Armed Forces whether they are within or without the continental limits of the United States.

It seems to me Judge Quinn's words represent the established law of this Nation as to the view that our military personnel may not be deprived of their constitutional rights. The Supreme Court has so held in several decisions.

It will be for Congress to determine whether we are to continue to be a government of laws under a written Constitution, guaranteeing life, liberty and opportunity to our citizens insured by due process and equal protection of the law, or whether we shall allow our basic rights to be disregarded and changed by the bare action of the Executive and the courts without sanction of the Congress.

If we are to allow foreign treaties and executive agreements to supersede the legal rights of members of the Armed Forces and to nullify the effective laws and procedures we have established to enforce these rights, it is as certain to follow as the day the night that the constitutional foundations and economic interests of this Nation will be gravely imperiled.

I would now like to discuss the jurisdictional aspects of this matter.

The question of criminal jurisdiction over American forces abroad is a dif-

ficult one since it embraces, not only our own domestic laws, but treaties and private and public international law as well. It also touches upon our international relations, as has been so well evidenced by the recent Girard case and several other cases that have developed in foreign nations.

It should be noted that conflict usually arises because foreign nations seek to take jurisdiction over our servicemen who commit crimes within their boundaries, and we have our own laws retaining jurisdiction over our own forces.

This controversial question has been the subject of status of forces agreements, so-called, with something like 49 nations and there are separate agreements covering Germany and Japan. All the NATO countries are covered by such agreements.

In general, these agreements provide for concurrent criminal jurisdiction and a system of waivers granted upon request by the state considered to have primary jurisdiction.

Current statistics show that in a majority of cases so far the foreign states concerned have granted American requests for waiver. There is some evidence to the effect that sentences imposed by foreign courts upon American armed services personnel tried and convicted of crimes abroad are generally less severe than those imposed by courts-martial for similar offenses. The agreements are applicable to NATO forces in the United States, as well as to American forces abroad, but there is apparently no case up to this time of a foreign government requesting a waiver of jurisdiction from the United States in respect to their military personnel in this country.

Various very strong, persuasive arguments have been made against the surrender by this country of jurisdiction over our servicemen to foreign nations. I, for one, do not believe that the Congress can afford to take these arguments lightly, because they reflect a point of view that is shared by a large number of the American people. These arguments have been urged by some very able, patriotic Members of this body. They are sincere, forceful, and entitled to our careful analysis and consideration.

First, we must have in mind that none of our military boys are legally present in foreign countries voluntarily. Some of them have been drafted; others enlisted. But they have been assigned by the military on other than a voluntary basis, in most instances without their consent or approval, to foreign posts. To submit them, therefore, to the jurisdiction of foreign courts for trial in criminal cases affecting their liberty or perchance their lives, is a profoundly serious legal and personal result, and this is especially true in the light of the fact that many foreign courts do not follow the rule of law, or the rule of due process, or apply the principles or the safeguards of the Bill of Rights enforceable in the American courts to which they are entitled as American citizens.

Secondly, it is an anachronism and a paradox, to say the least, for this Nation, which originally sent its Armed Forces into these foreign nations in the first

place as occupying units following a brutal war and decisive military victory for our side, and which has these units in these countries presently on a friendly basis, or upon the request of the foreign governments concerned, to permit foreign governments to lay down terms to us which subject or expose American military personnel to harsh, arbitrary treatment, procedure, and punishment in foreign courts. This should never be tolerated.

These are questions I submit, Mr. Speaker, which must have our most earnest, immediate attention so that we may reinforce, where necessary, the legal rules which protect the constitutional rights and all the other rights of our Armed Forces abroad. If the Congress does not take this action, it may leave the door open to possible injustice and denial of justice that will serve to outrage American public opinion, diminish our prestige in foreign nations, and cause an unfortunate, dangerous deterioration of our international relations.

As we approach the solution of this question, we must first keep in mind that, in the absence of special agreements, international law is confused and conflicting though it generally recognizes that nations may exercise criminal jurisdiction over persons within their territories.

If such members of military forces are to be immune from foreign jurisdiction this immunity must flow, therefore, either from special agreements or special laws adopted by the Congress, which shall be recognized by other nations and their courts. Some courts have made exceptions for military personnel; others have not, and hold that in the absence of waiver, expressed or implied, a state retains jurisdiction to punish all criminal offenses within its territory even if committed by a member of a visiting armed force. International agreements seem to give further weight to this view, but we have had fairly satisfactory experience with most of our allies in agreeing upon jurisdictional questions arising principally from wartime necessity. The treaties were proposed ostensibly to avoid treating each case as a separate negotiation. The problem now—and it is a very serious one—relates to our forces serving overseas for security purposes as occupying police or defense forces.

As I have pointed out, foreign courts do not generally provide for criminal trials conducted under our constitutional guaranty. The Uniform Code of Military Justice now needs amendment and clarification in the light of the Girard case. The decisions of the Supreme Court are neither sacrosanct nor absolute. While they are generally to be respected by our people until they are changed, it is, not only the right, but the duty of Congress to change them by statute law where it is deemed that they are inconsistent with the Constitution and violative of Congressional intent.

A most controversial issue arises from the determination of what constitutes an on-duty or off-duty offense and the procedure for determining the fact. The NATO treaty provides no standard for this determination. The French view-

point would deprive the United States of primary jurisdiction over all crimes which involves specific intent. The United States contends that the treaty provision includes any act incidental to a duty assignment, but the Girard case apparently abandons that view.

A Turkish statute adopts the American position that a certificate of the American military authorities, as in the Girard case, stating that the accused was in the performance of official duties when the offense was committed, should be a conclusive bar to the exercise of foreign jurisdiction. This would preclude foreign courts from making their own jurisdictional determination. But Turkey is apparently the only foreign country that takes this view.

The United Kingdom makes it a rebuttable presumption that the accused was in the performance of official duties, but leaves final determination of this question to the British courts. The establishment of formal procedures for making line of duty determination would certainly help to eliminate this conflict. This is most essential.

It would also seem that double jeopardy of our servicemen is possible under the treaty since our Court of Military Appeals has held that a serviceman may be tried by courts-martial for the same act for which he has been held in contempt of a foreign court on the ground that the Status of Forces Agreement does not preclude the court martial because, under American law, contempt proceedings are not a trial. There is, for example, an instance of an American serviceman, who was tried by three NATO countries for separate offenses arising from the same set of events and thus multiple trials for different offenses have taken place under the treaty.

In one case, American military courts have upheld the use by courts-martial of evidence obtained by foreign investigators during a search and seizure illegal by American standards. In another case, evidence obtained by American investigators in violation of the Uniform Code of Military Justice has been turned over to Italian authorities for use in prosecution of member of American forces.

In several foreign countries American forces have been tried in absentia, and in some cases the accused was not informed by military authorities that he was being tried, nor was he furnished with counsel for his defense.

Although the Senate in consenting to the Status of Forces Agreement appended a statement to the text of the treaty directing requests for waivers to insure constitutional safeguards, for notification of the Armed Services Committees of Congress in cases where diplomatic negotiations are necessary, for the presence of American representatives at all foreign trials to insure compliance with certain rights guaranteed to an accused by the treaty, it would appear that lack of adequately trained personnel has hampered the Department of Defense in complying with the requirement that trial observers be present at all trials by foreign courts of members of the American forces. It is evident, therefore, that our own Government is not adequately

carrying out some of the provisions attached to the treaty by our own Senate.

The Girard decision is a rather astonishing legal document, which seems to be more closely adapted to current political and diplomatic policy than it is reflective of the legal principles of international, municipal and constitutional law applicable to the rights of an American serviceman accused of certain criminal offenses at a time when he was certified as duly on duty with the Army.

It should be noted that our Government in this instance notified Japan that Girard would be delivered to the Japanese for trial and that the so-called protocol agreement with Japan, under which this action was taken, was entered into without the subsequent consent of the Senate.

If this Government under a treaty or by any other presumed authority can deliver up American servicemen to foreign nations for criminal trial of line-of-duty offenses, we will be faced, not only with possible violations of the basic constitutional rights of these men, but will soon be confronted with distinct and extreme deterrents to enlistment in our Armed Forces of American boys. If prospective members of the armed services all over the Nation are to believe that they may be subjected by our Government to possible criminal trials in foreign courts where American principles of jurisprudence do not prevail, where a fair trial as we conceive it cannot be secured, and where unjust procedures, harsh, oppressive punishments and double jeopardy may obtain, it would seem very likely—and I hope this will not occur—that the reenlistment and enlistment rates of our armed services may be grievously affected.

The case cited by the Supreme Court in support of its decision on the question of jurisdiction was that of *Schooner Exchange v. McFadden* (7 Cranch 116), in which Chief Justice Marshall took the position that troops passing through a foreign country were subject only to their own military jurisdiction. This position was later elaborated in dicta to include troops stationed in a foreign country. Frankly, I am unable to follow the reasoning or the result of the Girard opinion, and I think it requires, as is proposed by the able gentleman from Texas [Mr. KILDAY] that Congress move at once to clarify the status and the rights of American servicemen serving in line of duty in foreign nations. Since this decision permits the executive department to waive primary jurisdiction accorded by international agreements to this nation over American forces in foreign nations, Congress must act to protect our servicemen abroad.

The State Department decision just announced refusing waiver of claimed jurisdiction over American servicemen in the Philippines charged with traffic violations, has but added to the confusion and uncertainty that surrounds the general question of foreign jurisdiction.

It would seem to indicate that the State Department has no consistent, clear-cut opinion or procedure resting on international law or national policy

on jurisdiction over our military in foreign nations. While I do not have all the facts, the case would seem, as reported by the press, to be in direct variance with the Girard case. If the Department had waived jurisdiction in this case, and I am not suggesting this course, and refused to waive jurisdiction in the Girard case, its position would be more consistent and in keeping with American law, and the Japanese agreement and applicable principles of international law and municipal law in foreign states.

If treaties and agreements with foreign nations are to be declared by the Supreme Court to take precedence over the Uniform Code of Military Justice, the Bill of Rights, and all the safeguards of the Constitution to the extent that American servicemen serving on duty in our Nation's Armed Forces overseas can be turned over by this Government to foreign courts for criminal trial, it is incumbent upon this Congress to clarify the law. I hope we will do so at a very early date, because this decision holds very grave implications for our servicemen. It holds other implications for our economic and industrial interests, regarding which I propose to address the House on another occasion.

FIFTEENTH ANNIVERSARY OF WAVES

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 3 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I know the House will join me in sending congratulations to Captain Wilde and to the approximately 725 officers and 5,000 enlisted women under her command—for their outstanding, patriotic service as a vital part of our national defense.

I know the Members are grateful for their unselfish and often terribly trying duty. We honor them, just as I do.

On Friday and Saturday of this week, the WAVES will hold their annual WAVES convention. It really will be a celebration of their 15th birthday. On July 30, 1957, the women of the Navy, generally known as WAVES, will celebrate their 15th anniversary. First organized in World War II as the Women's Reserve, United States Naval Reserve, they have now become, since the passage of the Women's Armed Services Integration Act of 1948, an integral part of the United States Navy. The current active duty strength of the WAVES is approximately 725 officers, and 5,000 enlisted women, and they are serving in regular military jobs throughout the United States and at selected overseas bases.

The present director of the WAVES, whose official title is Assistant Chief of Naval Personnel for Women, is Capt. Louise K. Wilde, United States Navy. Captain Wilde will complete her 4-year tour in August and will be succeeded by Capt. Winifred R. Quick, United States Navy, who becomes the fifth director since the WAVES were first organized in 1942. The sentiments of Vice Admiral Holloway are expressed in many different ways about Captain Wilde.

Vice Adm. J. L. Holloway, Jr., Chief of Naval Personnel, had this to say about Captain Wilde in a recent letter to the present director:

DEAR CAPTAIN WILDE: Your detachment signalizes a milestone in the history of the WAVES. For the first time, the loss of an Assistant Chief for Women does not result in the loss to the naval service of an outstanding American woman. We regard your detachment with a keen sense of loss.

Your professional and personal contributions to your present assignment have been of the first order, and have at all times served the advancement of our Navy's interest and prestige.

Your inspiring leadership is reflected in the high standards of integrity, loyalty, and efficiency of women throughout the naval service.

Our continued best wishes go with you in your new assignment and for all your naval career.

With high esteem, and warm regards, I am,
Sincerely,

J. L. HOLLOWAY, JR.,
Vice Admiral, United States Navy,
Chief of Naval Personnel.

Captain Wilde has been assigned to duty as Special Assistant to the Superintendent, Naval Postgraduate School, Monterey, Calif. Prior to reporting to Washington for duty in 1953, Captain Wilde had served on the staff of commander, Western Sea Frontier, in San Francisco, Calif.

Massachusetts is very proud of Captain Wilde. We claim her in my home city of Lowell, Mass., because her mother, the former Jane Louise O'Donoghue, is a Lowell girl.

Born in Concord, N. H., on July 18, 1910, Captain Wilde attended the public schools in that city and received her bachelor of arts degree from Mount Holyoke College in 1931. In 1941 she received her master of arts degree from Columbia University. She worked for several years as a newspaperwoman and was director of publicity at Mount Holyoke College at the time of the college's 100th anniversary in 1937. Prior to entering the Navy, Captain Wilde served for 2 years as assistant to the president and also as freshman dean at Rockford College in Illinois.

Captain Wilde presently lives in Washington, D. C. She is a member of the American Association of University Women and the Mount Holyoke Club of Washington, D. C. Her mother, Mrs. Jane L. Wilde, is the former Jane Louise O'Donoghue of Lowell, Mass.

In October 1952, Captain Wilde was cited by Mount Holyoke College as one of its most outstanding alumnae who had distinguished herself in the field of human relations. She was elected an alumna trustee of Mount Holyoke College and received the honorary degree of doctor of humane letters from Rockford College, Rockford, Ill., in June 1954.

Sworn into the Naval Reserve in August 1942, with the rank of lieutenant, junior grade, Captain Wilde was public relations officer at the United States Naval Reserve Midshipmen's School (W) in Northampton, Mass., until January 1943. She then became assistant to the director of the Women's Reserve and served in the Washington office of the wartime director, Captain Horton, as coordinator of public relations for the

Women's Reserve, during the period when the WAVE strength was built to a total of approximately 86,000.

In August 1945 Captain Wilde was transferred to Hawaii as district director for the 4,000 WAVES on duty in the 14th Naval District. In December of 1945 she received a spot promotion to commander and continued on duty at Pearl Harbor during the demobilization period following World War II. In June 1946 she was ordered to Washington to serve as assistant to Captain Palmer, second WAVE director.

Captain Wilde assumed the duties of Assistant Director for Plans, Women's Division, when Captain Hancock succeeded Captain Palmer and subsequently worked both on the legislation authorizing WAVES in the Regular Navy and Naval Reserve on a permanent basis and on all the plans for the implementation of these programs. Following the passage of this legislation Captain Hancock became an Assistant Chief of Naval Personnel and Captain Wilde continued until 1952 as Deputy Director of the WAVES.

In November 1948 Captain Wilde transferred to the Regular Navy and continued to hold the temporary rank of commander until she was selected for the permanent rank of commander on January 1, 1950.

Captain Wilde has been awarded the Bronze Star Medal for her work in Pearl Harbor and the Secretary of the Navy's Commendation Ribbon for her wartime work with the WAVES' first director. In addition she has the American Area Service Medal, the Asiatic-Pacific Service Medal, the World War II Victory Medal, and the National Defense Medal.

Also commissioned in the first group of women officers to enter the Women's Reserve, the United States Naval Reserve, Captain Quick was one of the first WAVE officers to transfer to the Regular Navy in October 1948.

Captain Quick was graduated with the first officer indoctrination class at Smith College in August 1942, Northampton, Mass., and appointed to the WAVE Midshipman School where, in charge of personnel and classification of officer candidates, she was responsible for the interviewing and classification of approximately 500 women officers each month. With her promotion to lieutenant, junior grade, in August 1943, she was ordered to the Navy Department, Washington, D. C., as special assistant on WAVE officer personnel, and as a job analyst worked with the Navy Management Engineers on manpower utilization.

She was one of the first two women officers sent overseas late in 1944 to make plans for the assignment of WAVE officers and enlisted women to the Territory of Hawaii. As Assistant to the Director of Personnel in the 14th Naval District, she was responsible for the assignment of more than 4,000 WAVES ordered to Hawaii during World War II to replace Navy men needed in the Pacific Fleet. During this period she was promoted to lieutenant commander, and in 1946 assumed the additional responsibilities of District Director of the Women's Reserve, 14th Naval District. She remained at Pearl Harbor during

the demobilization period following the Japanese surrender.

She was awarded the Bronze Star Medal "for exceptionally meritorious service as District Personnel Officer for the Women's Reserve in the 14th Naval District from October 30, 1944 to April 11, 1946."

Returning to Washington, Captain Quick served from September 1946 until April 1947 as Director of the Women's Reserve in the Potomac River Naval Command, then had a tour of duty in the Bureau of Naval Personnel, Navy Department, as Special Assistant to the Director of Officer Personnel and WAVE Detail Officer. In that capacity she assisted in the formulation and implementation of plans and policies concerning women officers in the Regular Navy. From August 1950 until May 1951 she was assigned to the Office of the Secretary of Defense, as Military Personnel Consultant.

She was among 15 Navy and Marine officers selected for a year's graduate work at Stanford University and, after receiving her master's degree in personnel administration and training in June 1952, remained in California until February 1956 as Assistant Director, later Director of Naval Personnel for the 12th Naval District. She was the first woman officer to hold this position. During that period she was promoted to the rank of commander, to date from July 1, 1953.

Reporting in February 1956 to the Commander in Chief Naval Forces, Eastern Atlantic and Mediterranean, London, England, she was assigned as Senior Assistant to the Chief of Staff—Administration. She returned to the Navy Department in July 1957, and on August 9, will assume the duties of Assistant Chief of Naval Personnel for Women and Director of the WAVES.

In addition to the Bronze Star Medal, Captain Quick was awarded the American Campaign Medal, the Asiatic-Pacific Campaign Medal, the World War II Victory Medal, and the National Defense Service Medal.

Born in Great Falls, Mont., on November 26, 1911, she was graduated from the University of Southern California with the degree of bachelor of science in business administration in 1935, and, after 2 years as director of personnel for Brunswig Drug Co., wholesale and pharmaceutical manufacturers in Los Angeles, attended the first graduate course in management training at Radcliffe College, Cambridge, Mass., in 1937-38. Prior to entering the naval service, she was personnel coordinator for Pasadena Junior College and the United States Employment Service at Pasadena, Calif. Her home town address is San Francisco, Calif.; her current residence is 2500 Q Street NW., Washington, D. C.

Women served with the Navy for the first time during World War I when they were enlisted in the Naval Reserve as yeoman (F). These enlisted women were known as yeomanettes and their duties were principally stenographic.

Again in World War II the need for women in the service to supplement the country's manpower was recognized and on July 30, 1942, the President signed

legislation authorizing the enlistment and commissioning of women in the United States Naval Reserve. These Women Accepted for Voluntary Emergency Service—WAVES—were permitted to serve in shore billets within the continental limits of the United States only. However, legislation was passed 2 years later to permit WAVES to serve overseas in Hawaii and Alaska.

The original numerical strength of the women in the Navy was set at 10,000 enlisted and 1,000 officers. This was greatly increased as the war progressed and the WAVES proved that they could take over many more jobs than at first was believed possible. The WAVES reached their numerical peak in July 1945 when there were approximately 86,000 officers and enlisted women on active duty. These women were serving at 900 naval activities in the United States and Hawaii, performing nearly every type of duty ashore. Among the enlisted women there were gunnery instructors, ballistics experts, celestial navigation instructors, and many other skilled technical workers as well as yeomen, storekeepers, hospital corpsmen, and others. In the women officers' ranks there were included lawyers, civil engineers, doctors, linguists, and educators.

The record established by the WAVES in World War II paved the way for the passage in June 1948 of legislation making women a permanent part of the Regular Navy and the Naval Reserve. Now women can make the Navy their career, and the limitations on foreign duty have been removed.

ANALYSIS OF VOTE ON H. R. 1

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the school-construction bill has been killed. The breakdown of the rollcall of both parties on this bill is very interesting, and should be interesting to the people of the country.

The breakdown of the rollcall shows that 97 Democrats voted to strike out the enacting clause and 126 Democrats voted against it; 111 Republicans voted to strike out the enacting clause and 77 Republicans voted against it.

In other words, 57 percent of the Democrats voted to keep the bill alive and to proceed with further consideration of the bill.

Fifty-nine percent of the Republicans voted to kill the bill and 41 percent of the Republicans voted to keep the bill alive. Forty-three percent of the Democrats voted to strike out the enacting clause.

In this morning's Washington Post there was a very interesting cartoon of the President going in all directions at the same time. I think this vote clearly justifies the cartoon, as well as the editorial which the Washington Post carried this morning.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BUSH (at the request of Mr. FENTON) from July 19, 1957, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BENTLEY, to transfer his special order for 15 minutes on Monday next to Tuesday next.

Mr. KILGORE for 15 minutes today, and to revise and extend his remarks.

Mr. PHILBIN for 25 minutes today.

Mrs. ROGERS of Massachusetts for 3 minutes today.

Mr. KEARNS for 25 minutes on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. REUSS and to include extraneous matter.

Mr. MULTER in two instances and include extraneous matter.

Mr. McMILLAN.

Mr. HALEY.

Mr. SANTANGELO and include extraneous matter.

Mr. RODINO (at the request of Mr. SANTANGELO).

Mr. MACDONALD.

Mrs. GRANAHAN.

Mr. MINSHALL in two separate instances, in each to include extraneous matter.

Mr. MILLER of Maryland.

Mr. BOLAND.

Mr. ABBITT.

Mr. CRAMER and to include extraneous matter.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 54 minutes p. m.), under its previous order, the House adjourned until Monday, July 29, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1062. A letter from the Deputy Administrator, Veterans' Administration, transmitting a report of tort claims paid by the Veterans' Administration during the fiscal year ending June 30, 1957, pursuant to Public Law 601, 79th Congress; to the Committee on the Judiciary.

1063. A letter from the Director, Central Intelligence Agency, transmitting a report of tort claims paid by the Central Intelligence Agency for the fiscal year 1957, pursuant to Public Law 601, 79th Congress; to the Committee on the Judiciary.

1064. A communication from the President of the United States transmitting proposed supplemental appropriations and a proposed provision for the fiscal year 1958 for the legislative branch and for various departments

and agencies of the executive branch totaling \$6,762,967 and for the District of Columbia in the amount of \$2,950,717 payable from District of Columbia funds. (H. Doc. No. 213); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. GRANAHAN: Committee on Post Office and Civil Service. H. R. 6371. A bill to increase the equipment maintenance allowance for rural carriers, and for other purposes; with amendment (Rept. No. 876). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. H. R. 8850. A bill to amend the Universal Military Training and Service Act to authorize additional deferments in certain cases; with amendment (Rept. No. 879). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 1492. An act increasing penalties for violation of certain safety and other statutes administered by the Interstate Commerce Commission; without amendment (Rept. No. 877). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 5384. A bill to amend the Interstate Commerce act to provide for the preservation of competitive through routes for rail carriers; with amendment (Rept. No. 878). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 1383. An act amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight forwarder permit; without amendment (Rept. No. 880). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:
H. R. 8897. A bill relating to foreign personal holding companies; to the Committee on Ways and Means.

By Mr. BROYHILL:
H. R. 8898. A bill to increase the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia; to the Committee on the District of Columbia.

H. R. 8899. A bill to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes; to the Committee on the District of Columbia.

By Mr. BURNS of Hawaii:
H. R. 8900. A bill to authorize land exchanges at Honolulu, Oahu, T. H., for the development of the Honolulu airport complex, consisting of the Honolulu International Airport, Hickam Air Force Base, and Keahi Lagoon, an outlying facility of the naval air station at Barbers Point, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DAWSON of Illinois (by request):

H. R. 8901. A bill to provide for the relocation of the National Training School for Boys, and for other purposes; to the Committee on Government Operations.

By Mr. HOLT:
H. R. 8902. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for certain amounts paid by a teacher for his further education; to the Committee on Ways and Means.

By Mr. PHILBIN:
H. R. 8903. A bill to amend the Armed Services Procurement Act of 1947; to the Committee on Armed Services.

By Mr. DEMPSEY:
H. R. 8904. A bill to amend the Atomic Energy Community Act of 1955, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. CARNAHAN:
H. Res. 367. Resolution recommending the creation of a permanent United Nations emergency force; to the Committee on Foreign Affairs.

By Mr. HALE:
H. Res. 368. Resolution recommending the creation of a permanent United Nations emergency force; to the Committee on Foreign Affairs.

By Mrs. KELLY of New York:
H. Res. 369. Resolution recommending the creation of a United Nations emergency force; to the Committee on Foreign Affairs.

By Mr. MERROW:
H. Res. 370. Resolution recommending the creation of a permanent United Nations emergency force; to the Committee on Foreign Affairs.

By Mr. REUSS:
H. Res. 371. Resolution recommending the creation of a permanent United Nations emergency force; to the Committee on Foreign Affairs.

By Mr. WAINWRIGHT:
H. Res. 372. Resolution recommending the creation of a permanent United Nations emergency force; to the Committee on Foreign Affairs.

By Mr. BROYHILL:
H. Res. 373. Resolution for the consideration of H. R. 2462, a bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. CHELF:
H. Res. 374. Resolution to authorize a study and investigation of certain censorship practices of the radio and television networks; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:
H. R. 8905. A bill for the relief of Hubert D. Thatcher, Robert R. Redston, Andrew E. Johnson, William L. Barber, Alex Kamkoff, and William S. Denisevich; to the Committee on the Judiciary.

By Mr. BOYLE:
H. R. 8906. A bill for the relief of Mrs. Mary Mares; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:
H. R. 8907. A bill for the relief of Umezo Muramoto and his wife, Tsuna Goto Muramoto; to the Committee on the Judiciary.

By Mr. CELLER:
H. R. 8908. A bill for the relief of Teresa Camejo Arguelles; to the Committee on the Judiciary.

H. R. 8909. A bill for the relief of Marcie Ellen Schlossman; to the Committee on the Judiciary.

By Mr. AVERY:
H. R. 8910. A bill for the relief of Michael James Cowan and Linda Dorothy Cowan; to the Committee on the Judiciary.

By Mr. EDMONDSON:
H. R. 8911. A bill for the relief of Anna Bodnar Nicholas; to the Committee on the Judiciary.

By Mr. FALLON:
H. R. 8912. A bill for the relief of Mrs. Josephine Zapletal Grim; to the Committee on the Judiciary.

By Mr. FULTON:
H. R. 8913. A bill for the relief of Margaret Weydmann, and her minor child, Bill Weydmann; to the Committee on the Judiciary.

By Mr. HEALEY:
H. R. 8914. A bill for the relief of Solomon Herzfeld; to the Committee on the Judiciary.

By Mr. HOLT (by request):
H. R. 8915. A bill for the relief of James Demetrios Chrysanthos, also known as James Demetrios Chrysanthopoulos; to the Committee on the Judiciary.

By Mr. NORBLAD:
H. R. 8916. A bill for the relief of Casablanca Ambra Paola and Stefani Daniela Paola; to the Committee on the Judiciary.

By Mr. OSMERS:
H. R. 8917. A bill for the relief of Lancome Sales, Inc.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

313. By the SPEAKER: Petition of the executive vice president, Texas Manufacturers Association, Houston, Tex. Petitioning consideration of their resolution with reference to endorsing the purposes as expressed in Senate bill 5 and respectfully recommending their enactment; to the Committee on the Judiciary.

COMMITTEE EMPLOYEES

COMMITTEE ON AGRICULTURE

JULY 13, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
John J. Helmburger	Counsel	\$7,412.14
Mabel C. Downey	Clerk	7,412.14
Francis M. LeMay	Staff consultant	6,808.86
George L. Reid, Jr.	Assistant clerk	1,233.33
Lydia Vacin	Staff assistant	3,843.54
Pauline E. Graves	do	3,883.42
Betty M. Prozioso	do	3,381.12
Gladys N. Ondarcho	do	3,124.26
Alicia F. Shoemaker	do	1,017.14

Funds authorized or appropriated for committee expenditures..... \$50,000.00
Amount of expenditures previously reported.....
Amount expended from Jan. 1, to June 30, 1957..... 4,402.15

Balance unexpended as of June 30, 1957. 45,597.85

HAROLD D. COOLEY,
Chairman.

COMMITTEE ON APPROPRIATIONS

JULY 15, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profes-

sion, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Corhal D. Orescan	Clerk and staff director	\$7,436.46
Kenneth Sprankle	do	7,436.46
Paul M. Wilson	do	7,436.46
Jay B. Howe	Staff assistant	6,808.86
Ross P. Pope	do	6,808.86
Robert M. Moyer	do	6,808.86
Carson W. Culp	do	6,808.86
Samuel W. Crosby	do	6,808.86
Harris H. Huston	Staff assistant	6,808.86
Frank Sanders	do	6,288.66
Eugene B. Wilhelm	do	6,288.66
George S. Green	Clerk to minority	6,418.70
E. L. Eckloff	Clerk to majority	6,325.80
Robert P. Williams	Editor	5,917.14
Robert L. Michaels	Staff assistant	5,322.60
G. Homer Skarin	do	4,727.94
Earl C. Silsby	do	4,564.44
Lawrence C. Miller	Assistant editor	3,723.66
Francis G. Merrill	Staff assistant	3,552.42
Samuel R. Preston	Junior staff assistant	3,124.26
Donald R. Bridges	Clerical assistant	2,610.42
Donald F. Berens	do	2,524.80
Randolph Thomas	Janitor-messenger	1,678.02
John C. Pugh	Consultant	1,461.00
Julia M. Elliott	Clerk-stenographer	2,610.42
Mary A. Vaughn	do	2,610.42
Betty G. Coll	do	2,581.41
Phyllis N. Troy	do	2,610.42
William J. Neary	do	2,610.42
Shirley Rae Cooley	do	2,610.42
Catherine D. Norrell	do	2,610.42
Annette Lee	do	2,175.35
Donald L. Bernard	do	2,610.42
Edward Ricci	do	2,175.35
Edwin A. Sheehan	do	1,740.28
Molly O. Day	do	2,610.42
Rose Marie Kline	do	2,610.42
Margaret B. Linton	do	2,581.41
Silas Taber	do	2,175.35
L. Margaret Murray	do	2,610.42
Margie H. Trew	do	2,610.42
James W. Dudley	do	2,610.42
John C. Clevenger	do	2,610.42
Gladys Kofmehl	do	2,610.42
Frank B. Melchior	do	2,507.64
Frank Mentillo	do	2,353.50
Lenore Cummings	do	2,353.50
Robert V. V. Rice, Jr.	do	2,010.96
Roma E. Jaques	do	15.52
Evelyn Page	do	1,305.21
Ruth M. Young	do	435.07
Agnes Norton	do	435.07
Monica Smith	do	435.07
Lucille K. Brand	do	613.24
Robert Cope, Jr.	do	366.56

Funds authorized or appropriated for committee expenditures	\$435,000.00
Amount of expenditures previously reported	196,918.14
Amount expended from Jan. 1 to June 30, 1957	190,497.43
Total amount expended from July 1, 1956, to June 30, 1957	387,415.57
Balance unexpended as of June 30, 1957	47,584.43

CLARENCE CANNON,
Chairman.

COMMITTEE ON APPROPRIATIONS
JULY 15, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Richard F. McIlwain	Director, surveys and investigations staff.	\$6,023.62
Robert E. Rightmyer	Assistant director, surveys and investigations staff.	2,065.26
M. Alice Rumi	Stenographer	2,272.32
Lillian M. Mackie	Stenographer	1,346.56
Charles G. Haynes	Director, surveys and investigations staff.	3,994.28
Ralph W. Horton	Investigator	967.61
Ethel P. Powers	Stenographer	1,893.60
John J. Bachmann	Consultant	1,680.00
John J. Donnelly	do	9,000.00
Engelhardt, Engelhardt, Leggett and Cornell	do	4,000.00
Marion N. Hardesty	do	3,450.00
George Y. Harvey	do	3,000.00
John B. St. John	do	500.00
Daniel D. Whitcraft, Jr.	do	800.00

REIMBURSEMENTS TO GOVERNMENT AGENCIES

Agriculture, Department of:		
William J. Gross	Investigator	\$1,296.94
John I. Sherman	do	398.77
Air Force, Department of: John Ewan.	do	2,435.69
Atomic Energy Commission:		
James I. Bolson	do	1,272.51
Martin Hayes	Editorial assistant	379.24
Albert P. Pollman	Investigator	1,964.76
Bureau of the Budget:		
John B. Holden	do	2,143.28
Richard Newman	do	1,418.16
Federal Bureau of Investigation:		
Carl L. Bennett	do	5,185.29
Harold H. Hair	do	5,398.65
Thomas J. Jenkins	do	5,301.06
Hugh B. McGahey	do	2,436.24
Richard A. Miller	do	5,185.29
Robert M. Murphy	do	5,177.84
James E. Nugent	do	6,296.10
Robert E. Rightmyer	do	3,754.50
John A. Ruhl	do	5,185.29
Andrew J. Shannon	do	5,078.61
Glenn A. Trofast	do	2,401.51
Samuel E. Virden II	do	5,194.38
General Services Administration:		
Howard K. Chapman, Jr.	do	2,530.38
John H. Holmead	do	580.68
Robert J. Rickey	do	1,598.24
Joseph E. Vaughan	do	1,570.13
Health, Education, and Welfare, Department of:		
Marjorie C. Hymans	Stenographer	221.04
Glenn G. Lamson, Jr.	Investigator	2,766.16
James N. McGuire	do	934.47
Ruth G. Stout	Stenographer	543.59
Interior, Department of:		
Percy L. Edwards	Investigator	846.20
Fred Gilbert	do	967.80
Edmund E. Lacasse	do	1,049.39
Donald H. Miller	do	2,265.00
Robert S. O'Neill	do	683.80
International Cooperation Administration: Lillian M. Mackie	Stenographer	396.22
Interstate Commerce Commission: John I. Pitman	Investigator	345.77
National Advisory Committee for Aeronautics: Ralph E. Cushman	do	1,788.00
Post Office Department: Robert W. Morris	Editorial assistant	1,995.29
Department of State: Charles W. Minor	Investigator	1,076.92
Veterans' Administration: William F. Jones	do	1,525.69

REIMBURSEMENTS TO GOVERNMENT AGENCIES—continued

Name of employee	Profession	Total gross salary during 6-month period
Veterans Canteen Service Field Office: Harry Osolin	Investigator	\$597.22
Travel and miscellaneous expense.		25,448.07
Funds authorized or appropriated for committee expenditures		\$500,000.00
Amount of expenditures previously reported		137,930.35
Amount expended from Jan. 1, to June 30, 1957		188,775.42
Total amount expended from July 1, 1957 to June 30, 1957		296,705.77
Balance unexpended as of June 30, 1957		203,294.23

CLARENCE CANNON,
Chairman.

COMMITTEE ON ARMED SERVICES

JULY 1, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Robert W. Smart	Chief counsel	\$7,400.00
John R. Blandford	Counsel	7,366.63
Charles F. Duesander	do	7,366.00
Philip W. Kelleher	do	7,366.00
Janice G. Angell	Committee secretary	3,509.79
Berniece Kalinowski	Secretary	3,509.79
Oneta L. Stockstill	do	3,209.87
L. Louise Ellis	do	3,209.87
Marie M. Abbott	do	2,811.66
James A. Deakins	Bill clerk	2,811.66

OFFICE OF SPECIAL COUNSEL OPERATING PURSUANT TO H. RES. 67 AND 68, 85TH CONG.

John J. Courtney	Special counsel	\$7,304.13
Edward T. Fogo	Staff assistant	5,087.75
Lloyd R. Kuhn	do	3,947.92
Raymond Wilcove	do	4,675.48
Robert N. Tyler	do	2,676.56
Dorothy Britton	Secretary	2,735.36
Jane Wheelahan	do	870.14
Ethel L. Mott	Clerk	2,566.91
Adeline Tolerton	do	2,566.91
Katherine Staggs	Secretary	1,696.77

Funds authorized or appropriated for committee expenditures	\$150,000.00
Amount of expenditures previously reported	-----
Amount expended from Jan. 3 to June 30, 1957	37,434.18
Total amount expended from Jan. 3 to June 30, 1957	37,434.18
Balance unexpended as of July 1, 1957	112,565.82

CARL VINSON,
Chairman.

COMMITTEE ON BANKING AND CURRENCY

JULY 1, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of

the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to July 1, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Robert L. Cardon.....	Clerk and counsel.....	\$7,412.14
Orman S. Fink.....	Professional staff.....	7,412.14
John E. Barriere.....	do.....	7,412.14
John M. Devlin.....	Editor (Apr. 1, 1957).....	2,475.54
Helen E. Long.....	Deputy clerk.....	3,980.58
Mary W. Layton.....	Assistant clerk.....	3,980.58

EMPLOYEES PURSUANT TO H. RES. 86, SUBCOMMITTEE ON HOUSING

Eleanor Hamilton.....	Research assistant (from Feb. 1, 1957).....	\$2,500.05
Alberta Masumian.....	Secretary.....	2,971.12
John J. McEwan, Jr.....	Housing economist.....	6,786.71
Grady Perry, Jr.....	Clerk (from Feb. 1, 1957).....	2,960.35
Robert R. Poston.....	Chief counsel.....	7,288.51
Betty B. Ridgell.....	Secretary.....	3,274.26
Annie Louise Odum.....	Research assistant (from June 15, 1957).....	213.77

Funds authorized or appropriated for committee expenditures..... \$100,000.00

Amount of expenditures previously reported.....

Amount expended from Jan. 4 to June 30..... 27,346.56

Total amount expended from Jan. 4 to June 30..... 27,346.56

Balance unexpended as of June 30, 1957..... 72,653.44

BRENT SPENCE,
Chairman.

COMMITTEE ON BANKING AND CURRENCY
JULY 1, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

EMPLOYEES PURSUANT TO H. RES. 203, 84TH CONG.—SALARIES JAN. 1-3, 1957, INCLUSIVE

Name of employee	Profession	Total gross salary during 6-month period
Eleanor Hamilton.....	Research assistant.....	\$56.75
Alberta Masumian.....	Secretary.....	36.53
John J. McEwan, Jr.....	Housing economist.....	88.08
Robert R. Poston.....	Chief counsel.....	92.30
Betty Ridgell.....	Clerk.....	41.31

¹ Paid in addition to above amount, \$24.32 representing retroactive pay July 1956 to February 1957, inclusive.

Funds authorized or appropriated for committee expenditures..... \$150,000.00

Amount of expenditures previously reported (July 1, 1955, to Dec. 31, 1956)..... \$94,576.95

Amount expended from Jan. 1 to June 30..... 11,610.42

Total amount expended from July 1, 1955, to June 30, 1957..... 106,187.37

Balance unexpended as of June 30, 1957..... 43,812.63

BRENT SPENCE,
Chairman.

COMMITTEE ON DISTRICT OF COLUMBIA

JULY 5, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to July 1, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
William N. McLeod, Jr.....	Clerk.....	\$7,406.70
Wendell E. Cable.....	Minority clerk.....	6,625.56
Ruth Butterworth.....	Assistant clerk.....	4,009.54
Dixon Davis.....	do.....	2,246.12
George McGown.....	Research analyst.....	2,938.68
Margaret S. Rogers.....	Assistant clerk.....	2,576.20

Funds authorized or appropriated for committee expenditures..... \$7,000.00

Amount of expenditures previously reported.....

Amount expended from Feb. 7 to June 30, 1957..... 543.75

Total amount expended from Feb. 7 to June 30, 1957..... 543.75

Balance unexpended as of June 30, 1957..... 6,456.25

JOHN L. McMILLAN,
Chairman.

COMMITTEE ON EDUCATION AND LABOR

JULY 11, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Fred G. Hussey.....	Chief clerk.....	\$7,412.14
Russell C. Derrickson.....	Chief investigator.....	7,412.14
James M. Brewbaker.....	General counsel.....	3,703.03
Kennedy W. Ward.....	Assistant general counsel.....	7,412.14
John O. Graham.....	Minority clerk.....	7,412.14
Kathryn Kivett.....	Assistant clerk.....	3,226.98
Jeanne Thomson.....	Assistant clerk—minority.....	3,226.98
Gloria Ann Baysden.....	Assistant clerk.....	3,226.98
Elizabeth Myers.....	do.....	2,689.15
Marian Riddiford.....	do.....	1,075.66
Michael Taylor.....	Staff assistant.....	335.16
Beatrice Sheppard.....	Assistant clerk.....	1,024.28

Funds authorized or appropriated for committee expenditures..... \$125,000.00

Amount of expenditures previously reported.....

Amount expended from Jan. 1 to June 30, 1957..... 14,034.43

Balance unexpended as of June 30, 1957..... 110,965.57

GRAHAM A. BARDEN,
Chairman.

COMMITTEE ON FOREIGN AFFAIRS

JULY 2, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of

the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Boyd Crawford.....	Staff administrator.....	\$7,436.46
Roy J. Bullock.....	Staff consultant.....	7,332.15
Albert C. F. Westphal.....	do.....	7,332.15
Dumond Peck Hill.....	do.....	6,774.80
Sheldon Z. Kaplan.....	do.....	7,307.35
Franklin J. Schupp.....	do.....	466.85
June Nigh.....	Staff assistant.....	3,723.66
Winifred G. Osborne.....	do.....	3,638.04
Helen M. Mattas.....	do.....	3,638.04
Myrtle M. Melvin.....	do.....	3,638.04
Helen L. Hashagen.....	do.....	3,638.04
Mary Louise O'Brien.....	do.....	3,549.56
Robert J. Bowen.....	Clerical assistant.....	2,747.45

¹ Resigned June 30, 1957.

² For period June 15-30, 1957.

Funds authorized or appropriated for committee expenditures..... \$75,000.00

Amount of expenditures previously reported.....

Amount expended from Jan. 1 to June 30, 1957..... 4,036.93

Total amount expended from Jan. 1 to June 30, 1957..... 4,036.93

Balance unexpended as of June 30, 1957..... 70,963.07

THOMAS S. GORDON,
Chairman.

COMMITTEE ON GOVERNMENT OPERATIONS

To the CLERK OF THE HOUSE:

JULY 15, 1957.

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 4, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Expenses, Jan. 4, 1957, to June 30, 1957:	
Full committee.....	\$2,218.69
Executive and Legislative Reorganization Subcommittee.....	39,715.43
Military Operations Subcommittee.....	33,046.41
Intergovernmental Relations Subcommittee.....	16,833.21
Public Works and Resources Subcommittee.....	26,782.43
International Operations Subcommittee.....	20,433.05
Legal and Monetary Affairs Subcommittee.....	42,625.21
General Government Activities Subcommittee.....	22,388.58
Special Subcommittee on Donable Property.....	13,272.96
Special Subcommittee on Government Information.....	24,842.01
Special Subcommittee on Water Resources and Power.....	4,855.82

Funds authorized or appropriated for committee expenditures..... 575,000.00

Amount of expenditures previously reported.....

Amount expended from Jan. 4 to June 30, 1957..... 246,963.80

Balance unexpended as of June 30, 1957..... 328,036.20

Salaries, full committee (Jan. 1-June 30, 1957):	
Orville S. Poland, general counsel.....	6,866.14
James A. Lanigan, associate general counsel (Apr. 1-June 30, 1957).....	3,655.23
Christine Ray Davis, staff director.....	7,412.14
William Pincus, associate general counsel (Jan. 1-Mar. 31, 1957).....	4,266.43
Martha C. Roland, staff member.....	5,951.18
Dolores Fel'Dotto, staff member.....	3,987.75
Mona Keating Henderson, staff member.....	3,170.65

Salaries—Continued

Ann E. McLachlan, staff member (Feb. 1-June 3, 1957)	\$2,824.75
Earle J. Wade, staff member (Jan. 1-31, 1957)	582.79
John Philip Carlson, minority staff member	5,951.18
Helen M. Boyer, minority professional staff member	6,808.86
Expenses, Jan. 4 to June 30, 1957: Full committee	2,218.69

Executive and Legislative Reorganization Subcommittee, Hon. William L. Dawson, chairman:	
Elmer W. Henderson, counsel	5,964.66
Orville J. Montgomery, associate counsel (Feb. 1-June 30, 1957)	5,002.15
William A. Young, professional staff member	5,599.28
Victor G. Rosenblum, consultant (Feb. 26-June 30, 1957)	4,275.00
David Glick, legal analyst	4,432.14
Earle J. Wade, clerical staff (Feb. 1-June 30, 1957)	3,138.75
Lawrence P. Redmond, clerical staff (Feb. 12-June 30, 1957)	2,734.58
Clara K. Armstrong, minority, clerical	3,000.56
Morton C. Pollack, legal analyst (Apr. 9-June 30, 1957)	1,834.07
Edith T. Carper, research analyst (Apr. 8-June 30, 1957)	1,393.24
James J. Mahoney, staff member (Feb. 1-Mar. 31, 1957)	1,675.12
Ann E. McLachlan, staff member (Jan. 4-31, 1957)	508.45
Expenses	157.43
Total	39,715.43

Military Operations Subcommittee, Hon. Chet Hoffield, chairman:	
Herbert Roback, staff director	7,276.65
John Paul Ridgely, investigator (May 1-June 30, 1957)	1,505.14
Earl J. Morgan, investigator	4,941.60
Carey Brewer, professional staff member (Feb. 1-June 30, 1957)	4,187.80
Robert J. McElroy, investigator	3,745.85
Mollie Jo Hughes, clerk-stenographer	3,324.77
Catherine L. Koerberlein, clerk-stenographer (Feb. 16-June 30, 1957)	2,278.94
James F. Eckhart, assistant counsel (Jan. 4-Apr. 17, 1957)	2,903.54
Sylvia L. Swartzel, clerk-stenographer (Jan. 4-Feb. 28, 1957)	1,023.24
Expenses	1,858.88
Total	33,046.41

Intergovernmental Relations Subcommittee, Hon. L. H. Fountain, chairman:	
James R. Naughton, counsel	5,416.61
Delphis C. Goldberg, professional staff member	5,380.03
Eileen M. Anderson, clerk-stenographer	2,987.94
Nancee W. Black, clerk-stenographer (May 15-June 30, 1957)	623.35
Francis X. McLaughlin, investigator (Jan. 4-Apr. 30, 1957)	2,364.73
Expenses	60.55
Total	16,833.21

Public Works and Resources Subcommittee, Hon. Earl Chudoff, chairman:	
Arthur Perlman, staff director	7,188.62
James A. Lanigan, counsel (Jan. 4-Mar. 31, 1957)	3,389.72
Phineas Indritz, counsel (Apr. 1-June 30, 1957)	3,001.29
Miles Q. Romney, professional staff member	4,941.60
Irene Manning, clerk-stenographer	3,630.06
Joan D. Heinly, clerk-stenographer	2,385.84
Margaret H. McMahon, clerk-stenographer (Feb. 25-Apr. 5, 1957)	570.23
Expenses	2,225.07
Total	26,732.43

International Operations Subcommittee, Hon. Porter Hardy, Jr., chairman:	
Walton Woods, investigator	\$5,346.60
Richard P. Bray, Jr., counsel (Feb. 25-June 30, 1957)	4,089.96
Maurice J. Mountain, consultant (Mar. 1-May 30, 1957)	992.81
John T. M. Reddan, chief counsel (Mar. 1-June 30, 1957)	4,500.00
Phyllis Seymour, clerk	3,302.29
Angela C. Hall, clerk-stenographer (Mar. 1-June 30, 1957)	1,683.20
Expenses	518.19
Total	20,433.05

Legal and Monetary Affairs Subcommittee, Hon. John A. Blatnik, chairman:	
Curtis E. Johnson, professional staff member	6,447.68
Jerome S. Flapinger, counsel	6,695.38
Baron I. Shacklette, chief investigator (Feb. 10-June 30, 1957)	5,100.77
Stanley T. Fisher, accountant-investigator	5,014.70

Legal and Monetary Affairs—Continued	
Hal Christensen, associate counsel	\$4,568.78
Jerome N. Sonosky, associate counsel (Feb. 1-June 30, 1957)	3,103.05
John L. Anderson, investigator	4,415.08
Elizabeth Heater, clerk-stenographer	3,261.83
Ann Dominek, clerk-stenographer (Apr. 1-June 30, 1957)	1,480.77
A. Carl Carey, Jr., assistant counsel (Jan. 4-Feb. 28, 1957)	1,429.88
Expenses	1,107.29
Total	42,625.21

General Government Activities Subcommittee, Hon. Jack Brooks, chairman:	
Edward C. Brooks, staff director (June 1-30, 1957)	1,035.73
Vernon McDaniel, associate counsel	6,216.87
William E. Townsley, counsel	5,533.64
John E. Moore, investigator	4,166.87
Irma Reel, clerk	2,765.31
William D. Huskey, investigator (Jan. 4-Feb. 28, 1957)	1,341.87
Expenses	1,328.29
Total	22,388.58

Special Subcommittee on Donable Property, Hon. John W. McCormack, chairman:	
Ray Ward, staff director	6,695.38
John W. McGarry, associate counsel (Feb. 1-June 30, 1957)	3,338.55
Margaret B. O'Connor, clerk-stenographer	2,898.47
Barbara McLaughlin, typist (June 15-30, 1957)	125.50
Expenses	215.06
Total	13,272.96

Special Subcommittee on Government Information, Hon. John E. Moss, chairman:	
Samuel J. Archibald, staff director	6,695.38
John J. Mitchell, chief counsel	6,585.76
Paul Southwick, professional staff member (Jan. 25-June 30, 1957)	4,392.42
Helen Beasley, stenographer	2,912.18
Catherine Hartke, stenographer	2,912.18
Margaret H. McMahon, stenographer (May 10-31, 1957)	292.06
Jacob Scher, consultant (Apr. 1-30, 1957)	550.00
Expenses	502.03
Total	24,842.01

Special Subcommittee on Water Resources and Power, Hon. Robert E. Jones, chairman:	
William C. Wise, staff director (Jan. 4-Mar. 31, 1957)	3,290.95
Ann Dominek, clerk-stenographer (Jan. 4-Mar. 31, 1957)	1,431.41
Roy F. Bessey, consultant (Mar. 29, 1957)	100.00
Expenses	33.46
Total	4,855.82

WILLIAM L. DAWSON,
Chairman.

HOUSE ADMINISTRATION COMMITTEE
JUNE 30, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Julian P. Langston	Chief clerk	\$7,418.22
Marjorie Savage	Assistant clerk	6,437.28
Jack W. Watson	do	5,322.60
Lura Cannon	do	4,564.44

Funds authorized or appropriated for committee expenditures	\$5,000.00
Amount of expenditures previously reported	1,159.83
Amount expended from Feb. 7 to June 30, 1957	1,159.83
Total amount expended from Feb. 7 to June 30, 1957	1,159.83
Balance unexpended as of June 30, 1957	3,840.17

OMAR BURLESON,
Chairman.

COMMITTEE ON HOUSE ADMINISTRATION, SUBCOMMITTEE TO STUDY FEDERAL PRINTING AND PAPERWORK

JULY 8, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 4, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
John F. Haley	Staff director	\$6,065.76
Philip B. Billings	Legal counsel	5,694.18
Julian H. McWhorter	Technical adviser	5,694.18
Assella S. Poore	Research analyst	3,295.50
Rose M. Slusarz (Feb. 15 to June 30)	Stenographer	942.71
Ann Tibbitts (June 10 to 30)	Clerk typist	284.57

Funds authorized or appropriated for committee expenditures	\$75,000.00
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Amount of expenditures previously reported	22,076.72
Amount expended from Jan. 4 to June 30, 1957	22,076.72

Total amount expended from Jan. 4 to June 30, 1957	22,076.72
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Balance unexpended as of June 30, 1957	52,923.28
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OMAR BURLESON,
Chairman.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
JULY 11, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Professional staff:		
George W. Abbott	Counsel	\$6,808.86
Sidney L. McFarland	Engineering consultant	6,262.68
John L. Taylor	Territories consultant	6,262.68
George H. Soule, Jr.	Minerals and lands consultant	6,262.68
Clerical staff:		
Nancy J. Arnold	Chief clerk	5,545.56
Nelda Boding	Clerk	3,552.42
Gertrude Harris	do	3,552.42
Laura Moran	do	3,495.33
Eve Twomey	do	3,209.88
Barbara A. Peters	Clerk (employed Feb. 1, 1957)	2,104.00

Funds authorized or appropriated for committee expenditures	\$57,500.00
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Amount of expenditures previously reported	7,503.30
Amount expended from Feb. 6 to June 30, 1957	7,503.30

Total amount expended from Feb. 6 to June 30, 1957	7,503.30
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Balance unexpended as of June 30, 1957	49,996.70
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CLAIR ENGLE,
Chairman.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

JULY 2, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Clerical staff:		
Elton J. Layton	Clerk	\$7,400.00
Kenneth J. Painter	1st assistant clerk	5,396.94
Herman C. Beasley	Assistant clerk	4,597.15
Georgia G. Glassmann	Assistant clerk-stenographer	3,295.50
Helen A. Grickis	Assistant stenographer (resigned Jan. 31, 1957)	549.25
Mildred H. Lang	Clerical assistant (from Feb. 4, 1957)	2,516.49
Roy P. Wilkinson	Assistant clerk	2,781.70
Professional staff:		
Andrew Stevenson	Expert	7,400.00
Kurt Borchardt	Legal counsel	7,400.00
Sam G. Spal	Research specialist	7,400.00
Martin W. Cunningham	Aviation consultant	7,400.00

ADDITIONAL TEMPORARY EMPLOYEES (H. RES. 99, H. RES. 152, H. RES. 191)

Barbara Dearing	Clerical assistant (from Jan. 8, 1957)	\$2,508.90
Marcella M. Fencil	Clerical assistant (from Jan. 26, 1957)	2,653.45
Mary Ryan	Clerical assistant	748.95

SPECIAL SUBCOMMITTEE ON TRAFFIC SAFETY

Name of employee	Profession	Total gross salary during 6-month period
Henry A. Barnes	Consultant (from May 16, 1957) reimbursement for actual expenses	-----
Nancy M. Henderson	Research analyst (from Apr. 1, 1957)	\$2,512.68

SPECIAL SUBCOMMITTEE ON LEGISLATIVE OVERSIGHT

Dr. Walter M. W. Splawn	Consultant (from May 24, 1957) reimbursement for actual expenses	-----
Helen Holmes Kayser	Clerical assistant (from May 15, 1957)	\$765.59
Glenn L. Johnson	Printing editor (from June 15, 1957) (H. Res. 239)	401.37

Funds authorized or appropriated for committee expenditures	\$350,000.00
Amount of expenditures previously reported	-----
Amount expended from Jan 3 to June 30, 1957	11,840.60
Total amount expended from Jan. 3 to June 30, 1957	11,840.60
Balance unexpended as of June 30, 1957, (approximate)	338,159.40

OREN HARRIS,
Chairman.

COMMITTEE ON THE JUDICIARY

JULY 15, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Bess E. Dick	Staff director	\$7,412.14
William R. Foley	General counsel	7,412.14
Walter M. Besterman	Legislative assistant	7,412.14
Murray Drabkin	Counsel (from Feb. 18 to June 30)	3,372.61
Walter R. Lee	Legislative assistant	7,412.14
E. Willoughby Middleton, Jr.	Associate counsel (from Mar. 1 to June 30)	4,539.24
Violet Benn	Clerical staff	4,237.50
Anne J. Berger	do	4,509.95
Lola Bikul	do	4,080.51
Frances Christy	do	4,151.88
Helen Goldsmith	do	3,980.58
Velma Smedley	do	4,564.44
Mary D. Weil	do	3,295.50
Thomas F. Broden	Counsel (Jan. 1 to Jan. 31)	1,010.95
Bessie M. Orcutt	Administrative assistant (Jan. 1 to Feb. 28)	2,269.62

Funds for preparation of United States Code, District of Columbia Code, and revision of the laws:

A. Preparation of new edition of United States Code (no year):	
Unexpended balance Jan. 1, 1957	\$58,836.76
Expended, Jan. 1, 1957-June 30, 1957	27,317.60
Balance, June 30, 1957	31,519.16

B. Revision of the laws:	
Unexpended balance Jan. 1, 1957	9,085.02
Expended, Jan. 1, 1957-June 30, 1957	8,936.46
Balance, June 30, 1957 (to be returned to Treasury)	148.56

C. Preparation of new edition of District of Columbia Code (no year):	
Unexpended balance, Jan. 1, 1957	2,764.01
Expended	-----
Balance, June 30, 1957	2,764.01

Salaries paid Jan. 1 through June 30, 1957, pursuant to House Resolution 107 and House Resolution 125, 85th Cong.

Employee	Position	Salary
Leonard Appel	Assistant counsel, Antitrust Subcommittee.	\$5,599.28
Robert E. Bauman	Messenger	1,726.58
Lucille E. Brooks	Clerk-stenographer	3,317.15
Gertrude C. Burak	do	3,174.45
Pauline Chaternuck	do	556.35
Garner J. Cline	Assistant counsel	1,861.83
Laurie L. Coleman	Clerk-stenographer	1,831.91
Roberta Eisenberg	do	3,156.38
Christine E. Elder	do	605.33
Herbert Fuchs	Assistant counsel, Antitrust Subcommittee.	5,380.03
Kenneth R. Harkins	Counsel, Antitrust Subcommittee.	7,133.81
Michael Kelemonek	Clerk-stenographer	2,819.55
Herbert N. Maletz	Counsel, Antitrust Subcommittee.	7,133.81
Elizabeth G. Meekins	Clerk-stenographer	3,073.59
Samuel R. Pierce, Jr.	Associate counsel, Antitrust Subcommittee.	6,695.38
Julian H. Singman	Assistant counsel, Antitrust Subcommittee.	5,380.03

Funds authorized or appropriated for committee expenditures	\$190,000.00
Amount of expenditures for period Jan. 1 to June 30, 1957	63,303.16
Balance unexpended as of June 30, 1957	126,696.84
H. Res. 125 adopted February 7, 1957	190,000.00

EMANUEL CELLER,
Chairman.

MERCHANT MARINE AND FISHERIES COMMITTEE

JULY 10, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to July 1, 1957, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Drewry	Chief counsel	\$7,400.00
Bernard J. Zinke	Counsel	6,932.71
Charles F. Warren	Assistant counsel	4,948.54
Frances Still	Assistant clerk	4,456.72
Shirley Schwartz	Minority clerk	4,066.20
William B. Winfield	Clerk	4,440.55
Edith Gordon	Secretary	3,355.43
Ruth Brookshire	Assistant clerk	3,355.43
Vera Barker	Secretary	3,355.43
Total		42,311.01

Funds authorized or appropriated for committee expenditures	\$50,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 4 to July 1, 1957	988.85

Balance unexpended as of July 1, 1957, 49,011.15
HERBERT C. BONNER,
Chairman.

POST OFFICE AND CIVIL SERVICE COMMITTEE

JULY 15, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Frederick C. Belen	Chief counsel	\$7,412.14
George M. Moore	Counsel (May 1, to June 30, 1957)	2,484.34
Charles E. Johnson	Counsel	7,143.24
Henry C. Cassell	Clerk	6,691.29
Weidon T. Ellis, Jr.	Professional staff member	6,691.20
John B. Price	Assistant clerk	3,809.31
Lillian Hopkins	do	3,723.66
Lucey K. Daley	do	3,552.42
Elsie Thornton	Stenographer	2,824.50
Blanche Simons	do	2,824.50

Funds authorized or appropriated for committee expenditures	\$50,000.00
Amount of expenditures previously reported	-----
Amount expended from Jan. 1 to June 30, 1957	6,736.22

Total amount expended from Jan. 1 to June 30, 1957, 6,736.22
Balance unexpended as of July 1, 1957, 43,263.78

TOM MURRAY,
Chairman.

COMMITTEE ON PUBLIC WORKS

JULY 17, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of

the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Margaret R. Beiter	Chief clerk	\$6,561.15
Charles G. Tierney	Chief counsel (Jan. 1 to Feb. 13, 1957)	1,767.77
Richard J. Sullivan	Chief counsel	4,539.24
Robert F. McConnell	Counsel	7,399.98
Joseph R. Brennan	Engineer-consultant	5,144.47
Joseph H. McGann, Sr.	Consultant (Jan. 1 to 31, 1957)	1,134.81
S. Philip Cohen	Staff assistant	3,809.34
Helen M. Dooley	do	5,196.24
Helen A. Thompson	do	3,766.50
Louise B. Cullen	do	3,766.50
Anna McHale	do	1,505.94
Ester M. Saunders	Clerk-messenger	2,011.00

Funds authorized or appropriated for committee expenditures \$125,000.00
 Amount of expenditures previously reported
 Total amount expended from Jan. 1 to June 30, 1957 12,842.26

Balance unexpended as of June 30, 1957 112,157.74

CHARLES A. BUCKLEY,
Chairman.

COMMITTEE ON RULES
 JULY 2, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Thomas M. Carruthers	Clerk, standing committee	\$5,694.18
Barbara M. Thornton	Assistant clerk	3,723.66
Jane W. Snader	Minority clerk	4,151.88

HOWARD W. SMITH,
Chairman.

COMMITTEE ON UN-AMERICAN ACTIVITIES
 JULY 8, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Standing committee: Donald T. Appell	Investigator (transferred from investigating staff Apr. 1, 1957)	\$3,070.01
Richard Arens	Director	7,399.98
Juliette P. Joray	Clerk	4,802.44
Isabel B. Nagel	Clerk-stenographer	3,295.50
Courtney E. Owens	Investigator (resigned Mar. 31, 1957)	2,847.09
Rosella Purdy	Secretary to counsel	3,963.45
Carolyn Roberts	Assistant chief of reference section (resigned May 31, 1957)	3,103.05
Thelma I. Searce	Secretary to investigators	3,963.45
Frank S. Tavener, Jr.	Counsel	7,399.98
Anne D. Turner	Chief of reference section	4,727.94
Lorraine N. Veley	Clerk-stenographer (transferred from investigating staff June 1, 1957)	468.84
William A. Wheeler	Investigator	5,991.42
Investigating committee: Alice W. Anderson Donald T. Appell	Information analyst Investigator (transferred to standing committee Mar. 31, 1957)	3,124.26 3,070.01
Margaret B. Atinello	Information specialist	3,115.70
Karl Baarslag	Special consultant	6,140.03
Beatrice P. Baldwin	Clerk-typist (appointed Jan. 4, 1957)	2,230.08
Kay Baird	Clerk-stenographer	2,995.80
Frank J. Bonora	Investigator	4,006.23
Jeanne M. Cassebaum	Clerk-typist	1,814.04
Raymond T. Collins	Investigator	3,723.66
Patricia R. Crovato	Clerk-typist	1,908.24
Anniel Cunningham	Information analyst	3,038.58
Barbara H. Edelschein	Editor	2,696.04
Elizabeth L. Edinger	do	3,124.26
Helen M. Gittings	Research analyst	3,723.66
W. F. Heimlich	Special consultant (appointed May 1, 1957)	2,021.92
Lillian E. Howard	Research analyst	3,552.42
W. Jackson Jones	Investigator	4,951.08
Olive M. King	Editor	3,620.94
Stephen V. Kopunek	Clerk-typist	2,096.64
Regina McCall	do	1,839.72
Mary B. McManus	Special consultant (appointed Feb. 21, 1957)	2,349.19
Jeanni M. O'Neil	Assistant chief of reference section (appointed Apr. 1, 1957)	1,305.21
Joseph P. Orsulak	Clerk-typist	1,678.02
Alma T. Pfaff	Clerk-typist (appointed Feb. 1, 1957)	1,747.20
Katharine Phillips	Switchboard operator	2,053.80
Maureen Roselle	Clerk-stenographer	2,439.18
Louis J. Russell	Investigator (appointed Jan. 23, 1957)	4,345.95
Dolores F. Scotti	Investigator	3,723.66
Josephine E. Sheetz	Clerk-typist	2,439.18
Lela M. Stiles	do	2,439.18
Cela F. Sweeney	do	2,353.53
Max Truitt	do	206.10
Lorraine N. Veley	Clerk-stenographer (transferred to standing committee, June 1, 1957)	2,603.55
Vera L. Watts	Clerk-stenographer	2,901.60
Richard S. Weil	Research analyst	3,980.58
Billie Wheeler	Clerk-stenographer (appointed Feb. 1, 1957)	1,398.35
George C. Williams	Investigator	4,951.08

Funds authorized or appropriated for committee expenditures \$365,000.00
 Amount of expenditures previously reported
 Amount expended from Jan. 4 to June 30, 1957 145,258.98
 Balance unexpended as of June 30, 1957 159,741.02

FRANCIS E. WALTER,
Chairman.

COMMITTEE ON VETERANS' AFFAIRS

JULY 10, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Standing committee: Oliver E. Meadows Edwin B. Patterson George W. Fisher J. Bufford Jenkins Paul K. Jones Helen A. Biondi Alice V. Matthews George Turner Harold A. L. Lawrence Ida Rowan	Staff director Counsel Clerk Professional aid Assistant clerk do Clerk-stenographer Assistant clerk Professional aid (minority) Clerk (minority)	\$7,436.46 7,436.46 7,316.66 6,511.62 5,322.60 4,151.88 3,638.04 3,509.58 7,316.66 6,808.86
Investigating staff: Adin M. Downer Joanne Doyle Jean Johnson Ernest Davis Paul H. Smiley Davis Grant Frank Ikard, Jr.	Staff member Clerk-stenographer do Investigator do do Supply clerk	4,659.24 1,881.34 1,768.29 1,988.22 1,325.12 1,200.45 109.29

Funds authorized or appropriated for committee expenditures \$50,000.00
 Amount of expenditures previously reported
 Amount expended from Jan. 1 to June 30, 1957 17,524.88
 Total amount expended from Jan. 1 to June 30, 1957 17,524.88
 Balance unexpended as of June 30, 1957 32,475.12

OLIN E. TEAGUE,
Chairman.

COMMITTEE ON WAYS AND MEANS

JULY 1, 1957.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Full committee: Leo H. Irwin, clerk (C) Thomas A. Martin, minority adviser (P) John M. Martin, Jr., assistant clerk (P) James W. Riddell, professional assistant (P) Frances C. Russell, staff assistant (C) Susan Alice Taylor, staff assistant (C) Virginia M. Butler, staff assistant (C) Grace G. Kagan, staff assistant (C) Irene Wade, staff assistant (C) Virginia Brannock, staff assistant (C) Frances E. Donovan, staff assistant (C) Harriet I. Lane, staff assistant (C) (from Apr. 1, 1957) Margaretta G. Pestell, staff assistant (C) (from May 27, 1957) Sybil D. Burd, staff assistant (C) (from June 1, 1957)		\$7,399.98 7,399.98 6,626.79 6,626.79 4,594.20 4,274.46 3,522.45 3,522.45 3,522.45 3,319.05 3,319.05 1,647.75 467.62 602.77

Full committee—Continued

Hughlon Greene, messenger (to Mar. 31, 1957)	\$1,074.00
Walter Little, messenger (to Mar. 31, 1957)	1,074.00
Expenses, full committee	143.75
Excise Taxes Subcommittee, Hon. AIME J. FORAND, chairman:	
Jack Poe, consultant	7,399.98
Hughlon Greene, messenger (from Apr. 1, 1957)	1,223.85
Walter Little, messenger (from Apr. 1, 1957)	1,223.85
Fannie Sue VanEs, staff assistant (C) (to June 9, 1957)	1,661.85
Eleanor Apichell, staff assistant (C) (May 20, 1957 to June 9, 1957)	232.98
Martha L. Lockwood, staff assistant (C) (to Jan. 20, 1957)	267.21
Milton J. Kolb, consultant (to Jan. 31, 1957)	1,475.00
Charles W. Hester, consultant (to Jan. 31, 1957)	1,233.33
Expenses	51.35
Total	14,769.40

Foreign Trade Policy Subcommittee, Hon. HALE BOGGS, chairman:	
Loyle A. Morrison, staff director	7,399.98
Myer Rashish, economist	6,808.86
Mary C. Idle, staff assistant (C)	3,021.48
Elma Udall, staff assistant (C) (from May 21, 1957)	557.25
Gizella Huber, research economist (to Feb. 28, 1957)	1,338.28
Harriet I. Lane, staff assistant (C) (to Mar. 31, 1957)	1,647.75
Robert L. Treanor, research economist (to Feb. 28, 1957)	1,675.12
Fannie Sue VanEs, staff assistant (C) (to Feb. 28, 1957)	1,007.16
Edwin G. Martin, counsel (to Jan. 3, 1957)	123.33
Expenses	21.30
Total	23,600.51
Internal Revenue Taxation Subcommittee, Hon. WILBUR D. MILLS, chairman: Expenses	16,642.26

Funds authorized or appropriated for committee expenditures \$250,000.00
 Amount of expenditures previously reported
 Amount expended from Jan. 1 to June 30, 1957 55,155.92

Balance unexpended as of June 30, 1957 194,844.08

JERE COOPER,
Chairman.

SELECT COMMITTEE ON SMALL BUSINESS

JULY 15, 1957.

To the CLERK OF THE HOUSE:
 The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1957, to June 30, 1957, inclusive, together with total funds authorized or appropriated and expended by it.

Name of employee	Profession	Total gross salary during 6-month period
Everette MacIntyre	Staff director and general counsel.	\$7,399.98
Wm. Summers Johnson	Chief economist	6,808.86
Marie M. Stewart	Clerk	3,552.42
Jane M. Deem	Administrative assistant-clerk.	3,552.42
Irving Maness	Assistant counsel-investigator.	6,543.94

Name of employee	Profession	Total gross salary during 6-month period
Joe Marshall	Research analyst	\$3,176.88
Drexel A. Sprecher	Assistant counsel-investigator.	4,813.00
Justinus Gould	do	5,320.12
John J. Carson	Special assistant to the chairman.	1,513.30
Clarence D. Everett	Investigator	3,552.42
Lois E. Allison	Economist	3,789.26
Frances K. Topping	do	2,498.12
Margaret Fallon Palmer	Research analyst	3,295.50
Katherine C. Blackburn	do	3,423.96
Judith Reinitz	Research and public relations.	1,348.02
Milton S. Fairfax	Secretary	3,720.81
Dorothy F. Council	Stenographer	2,920.62
Mary Vance Wilson	Stenographer-secretary.	1,683.07
Ila D. Coe	do	2,741.72
Clara G. Romero	do	2,741.72
Marla Josephy	Stenographer	1,647.58
Victor P. Dalmas	Adviser to minority members.	6,785.45
Mildred C. Darrow	Secretary to minority.	2,951.53

Funds authorized or appropriated for committee expenditures \$225,000.00
 Amount of expenditures previously reported
 Amount expended from Jan. 4 to June 30, 1957 100,757.07

Balance unexpended as of June 30, 1957 124,242.93

WRIGHT PATMAN,
Chairman.

EXTENSIONS OF REMARKS

Shaker Heights Sun-Press Nation's Top Suburban Weekly

EXTENSION OF REMARKS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 1957

Mr. MINSHALL. Mr. Speaker, it gives me great pleasure to call to the attention of my colleagues the recent journalistic honors awarded to the Shaker Heights Sun-Press. This outstanding publication under the editorship of my good friend, Harry Volk, assisted by his most accomplished and efficient staff won top honors in a national contest for urban and suburban weeklies conducted annually by the Accredited Home Newspapers of America.

The Sun-Press took 5 first-place citations in the category of weeklies with from 41,000 to 50,000 circulation. It was awarded first place for: First, General excellence; second, Community service; third, editorial and news content; fourth, best use of illustrative material; and, fifth, color printing.

I am particularly proud to bring this to your attention, for not only does the Sun-Press serve nearly one-half of my Congressional District, but I know at first hand what a wonderful job Harry Volk has done in building this newspaper over the past few years from a little throw-

away to a newspaper of general circulation, and it is an accomplishment of which Harry Volk can well be proud.

This is not the first time that the Sun-Press has merited national recognition, for only a short time ago, Time magazine mentioned it in a most favorable manner citing the outstanding coverage this newspaper has.

My sincerest congratulations to Harry Volk and the members of his Sun-Press staff.

Fifth Anniversary of the Commonwealth of Puerto Rico

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 1957

Mr. REUSS. Mr. Speaker, July 25, 1957, marks the fifth anniversary of the Commonwealth of Puerto Rico. It is a day of great significance because it marks a milestone in the development of a free people. The political and economic growth of Puerto Rico has been, and still is being, closely watched by the leaders of underprivileged peoples in the less-developed lands of Asia and Africa. They are learning that economic progress and political freedom are in-

separable and that each stimulates and supports the other.

Puerto Rico has been associated with the United States ever since the landing of American troops on the island on this same date—July 25—in 1898. Economic development has gone forward steadily since then but it is only in the last 10 years, with the inauguration of Operation Bootstrap, that the island has made its spectacular progress. It is not coincidental, I believe, that it was also 10 years ago that Congress granted the people of Puerto Rico the right to elect their own governor. The man who was elected, Luis Muñoz-Marín, one of the outstanding statesmen of the 20th century, has continued to serve as chief executive since the Commonwealth was created in 1952.

Puerto Rico has benefited from its close relationship to the United States but the United States has also benefited from its association with Puerto Rico. Puerto Ricans have served with distinction in uniform in both war and peace. Many have now come to live in the United States, including some, I am glad to say, in my own city of Milwaukee. Like many newcomers to our shores, they have often found it difficult at first to share in the advantages of our fast-moving civilization, but they are determined to achieve all that is rightfully theirs as good citizens.

To all Puerto Ricans, wherever they may live, I offer my congratulations on this happy anniversary.